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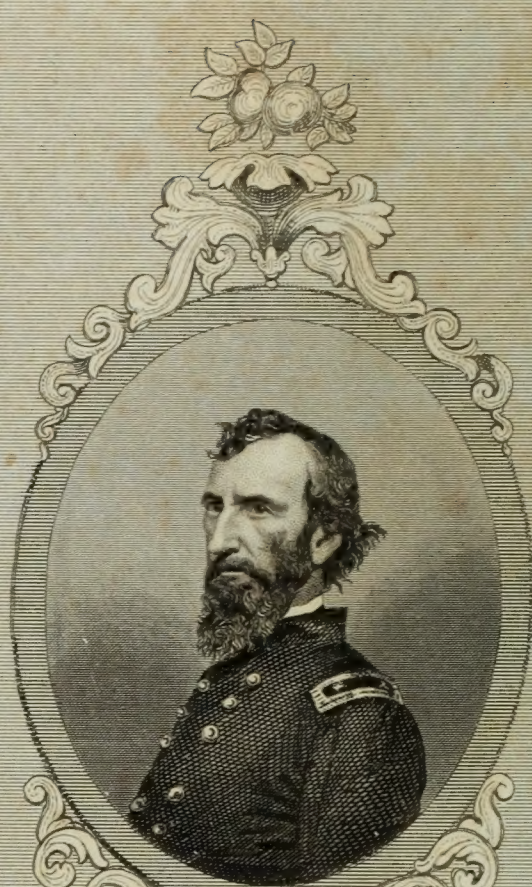
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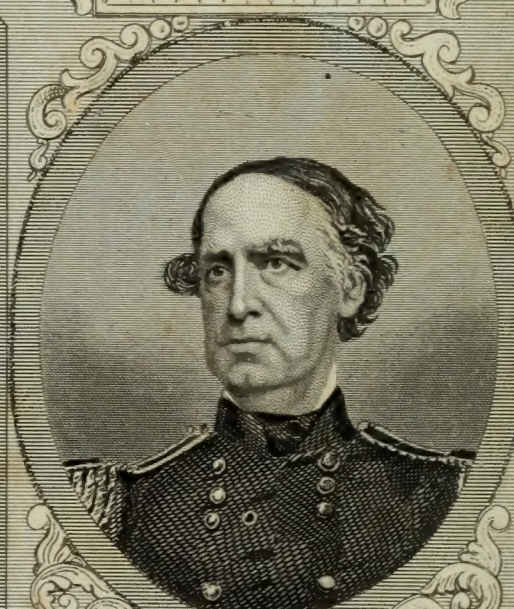
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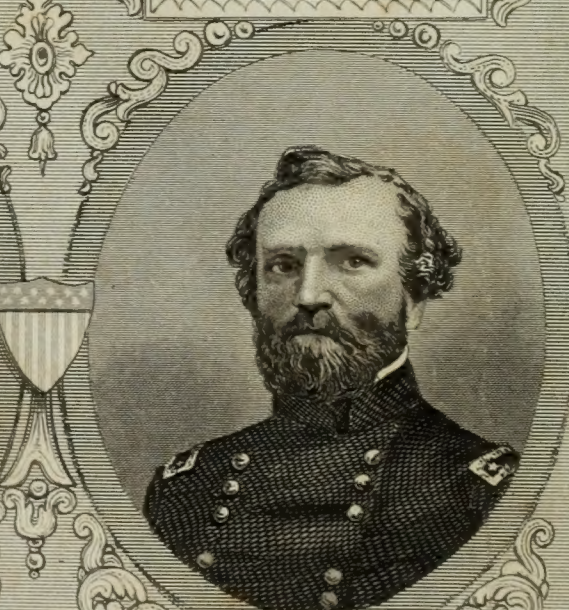
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THE  
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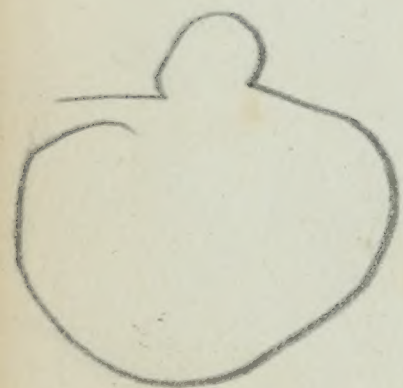
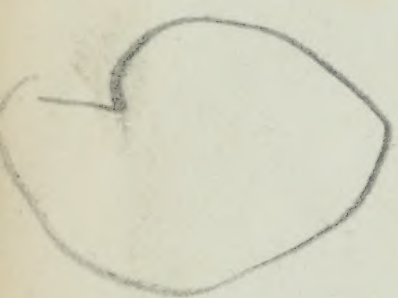
BY ORVILLE J. VICTOR.



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THE  
HISTORY,  
CIVIL, POLITICAL AND MILITARY,  
OF THE  
SOUTHERN REBELLION,  
FROM ITS INCIPIENT STAGES TO ITS CLOSE.

COMPREHENDING, ALSO, ALL IMPORTANT STATE PAPERS, ORDINANCES OF SECESSION,  
PROCLAMATIONS, PROCEEDINGS OF CONGRESS, OFFICIAL REPORTS  
OF COMMANDERS, ETC., ETC.

BY ORVILLE J. VICTOR.

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VOLUME II.

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New York:  
JAMES D. TORREY, PUBLISHER,  
13 SPRUCE STREET.



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## PREFACE TO VOLUME II.

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MATERIAL for the preparation of this volume has been very complete. Upon almost every chapter head there has been only too much of official documents, statements, letters, views, &c., put forth. Having reserved ample time for the production of this, the second of our three octavos, we have been able to reduce the chaos of witnesses to something like order, and to produce a narrative which we feel willing to trust to the world as the historical estimate that time must affix to the events of the Great Rebellion. It is true we have been only one year removed from these events; but, when the reader considers that the omnipotent press and the vanity of men are both exalted to a degree of communicativeness never before attained, he will realise that we have had ample means of information upon most points of historical interest. Very few are the secret archives which the agents of the press and the inquisitiveness of Committees have not explored in a twelve months' travail for facts. If new evidences do transpire, to modify the views and estimates herein embodied, it shall be our endeavor so to revise the text as to render it a correct interpretation of affairs.

Victor Hugo, in his wonderful word-picture of Waterloo, says: "There is a certain moment when the battle degenerates to the combat; when it individualizes itself, and disposes of the whole in details, which, as Napoleon remarks, 'belong to the *biography of the regiment* rather than to the history of the field'. The historian, hence, has the privilege of generalization. He can catch only the *ensemble* of the conflict; nor, is it permitted the narrator conscientious for the truth, to eliminate more than the outward form of the frightful shape (cloud) called a battle." We have sought, in our exposition of campaigns and battles, to paint the whole—all that the future will be concerned in—avoiding those particulars of detail which must have cumbered the narrative and have confused the reader's perceptions. We can afford to leave to others the work of writing the biographies of regiments: our province is to present the history of the War for the Union in its more comprehensive and general sense. In a few instances—where the heroism of men came out clear against the battle-cloud like a signet of glory—we have permitted the pen to trace the picture in detail. Such episodes serve to intensify the general impression which it is the historian's task to produce, and, hence, are admissible.

We may repeat our thanks to correspondents for favors which have added materially to our data. We owe little to the Departments at Washington, but much to friends at headquarters, who, in the midst of onerous duties, could find time to answer our not always easily appeased demands for facts. Yet, after all, to the omnipotent, omnipresent daily journals do we owe most thanks. Their subtle agencies, spread everywhere over the vast field of operations—insinuating themselves into the Departments, into Bureaus, into camp and staff councils—usurping the double office of witness and judge in the discharge of their duty—official and personal expositors—are now and ever must remain the historian's resources when all others fail.

NEW YORK, April 1st, 1863.



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# HISTORICAL SUMMARY OF EVENTS—Nº 3.

FROM MARCH 4TH, TO APRIL 15TH, 1861.

*March 4.*—Inauguration of Abraham Lincoln as President (the sixteenth) of the United States until March 4th, 1865. An immense concourse in attendance upon the ceremony. A large military force is distributed throughout the city to suppress any outbreak. No violence offered. After the Inauguration, Mr. Lincoln is driven to the White House, accompanied by Mr. Buchanan, and installed by the retiring President. The retiring President immediately departed for his home in Pennsylvania.

—The Texas State Convention proclaims the Act of Secession. Governor Houston submits to the authority of the Convention, and issues his proclamation declaring Texas to be no longer one of the States of the Federal Union.

—A dispatch from Montgomery announces the unfurling from the Capitol of the flag of the Confederate States of America. It consists of three broad bars, red, white, and red, with a blue field and seven stars. The stars to increase in number as the States multiply.

—The Message of Mr. Lincoln is received at Montgomery, and is pronounced a "war declaration."

—Arkansas State Convention meets. Elects "Union" officers, by six majority.

—Salutes are fired in many Northern cities in honor of the Inauguration. People, generally, congratulate themselves on the peaceful result of the ceremony, and the character of the Inaugural Address.

—Brigadier-General Beauregard commissioned and ordered to the chief command of the troops in and around Charleston, South Carolina.

—The slave ship *Bonita*, at Savannah, is "taken" by Governor Brown, and armed, as the first ship of Georgia's navy.

—The Richmond (Va.) papers state that the most active military preparations are going forward in that city. The State Armory is in full operation, turning out from seven to eight thousand rifle and musket cartridges per day. At the Tredegar Iron-Works cannon of the best description are being rapidly cast, together with great quantities of shot and shell.

*March 5.*—A dispatch from New Orleans to Washington announced that the United States revenue-cutter *Dodge* had been seized in Galveston Bay, by the Texan authorities.

—General Twiggs receives a public reception in New Orleans, in honor of his treason. He makes a speech, in which he remarked that he prayed for

strength to take part in the momentous struggle impending.

—Dispatches from every section of the Union indicate that the Inaugural Message of Mr. Lincoln is favorably regarded by the great majority. It is looked upon as a peace offering. The Secessionists in the South, and their allies in the North see war in its views regarding the duty of the Executive to enforce the laws.

—Drafts drawn by Mr. Dix and Mr. King (Postmaster-General) on the New Orleans Assistant United States Treasurer, in payment of work done on the New Orleans Custom-house, and for requiring mail-contractors in the Seceded States, are returned *unpaid*. Over five hundred thousand dollars in gold belonging to the United States was in the Treasurer's hands at the time.

—Martin J. Crawford and John Forsythe, two of three Commissioners from the Confederate States to Washington, arrive in Washington.

*March 6.*—Fort Brown, Texas, surrendered by Captain Hill to the revolutionists, by special agreement. The garrison is to be sent North.

*March 7.*—The Louisiana State Convention transfers the money seized (\$536,000) belonging to the United States Government to the Confederate States Government.

—Braxton Bragg commissioned Brigadier-General in the service of the Confederate Government, and dispatched to Pensacola to assume chief command of operations there. Wm. J. Hardee was also confirmed as Colonel. Both were officers in the United States Army.

—The Louisiana Legislature passes a resolution approving the conduct of General Twiggs.

*March 8.*—The Army bill passed by the Confederate Congress. It calls fifty thousand troops into the field for immediate service.

—It is announced from Raleigh, North Carolina, that the late vote in that State resulted in a majority of six hundred and fifty-one against holding a Convention.

—The Missouri Senate passes resolutions instructing Senators in Congress, and members of the House still at Washington, to oppose the passage of all acts granting supplies, men, and money to coerce the Seceding States into submission or subjugation; and that, should such acts be passed by Congress, Missouri's Senators be instructed and its Representatives be requested to retire from the halls of Congress.

*March 9.*—Alabama State Convention turns over all arms, forts, munitions, &c., seized from the



United States Government, to the Confederate Government.

*March 10.*—It is reported at Washington that such word has been received from Major Anderson as to render the evacuation or the reprovisioning of Fort Sumter a necessity. Great excitement exists in consequence. General Scott is willing to assume the responsibility of the withdrawal, considering it impossible to throw in reinforcements and provisions, except at great cost of life.

*March 12.*—The Southern Commissioners, Messrs. Crawford and Forsythe, communicate their mission to Secretary Seward, pronounce their Government an independency *de facto et de jure*, and request a day to be named when they may present to the President their credentials.

*March 13.*—The Georgia Convention turns over all forts, arsenals, arms, &c., seized from the Federal Government, to the Confederate Government.

—The Charleston (South Carolina) *Courier* of to-day says the batteries bearing on the ship channel are of the heaviest kind, and that they are now in a high state of preparation, and ready for any force that may be sent against them. It believes the reinforcement of Fort Sumter an impossibility. It estimates that three thousand highly-disciplined troops are in the various fortifications.

—Seats of United States Senators from the Seceded States declared vacant, and their names stricken from the roll.

*March 15.*—Mr. Seward, Secretary of State, answers the communication of the Southern Commissioners, Messrs. Crawford and Forsythe, by a "memorandum," without signature, refusing to recognize the agents in any public capacity, &c. This "memorandum" was not called for by the Commissioners until April 8th—understanding it to be a refusal of recognition.

*March 16.*—The Montgomery Congress adjourns, to meet again the 2d Monday in May.

—The Texas State Convention passes an ordinance declaring, on the refusal of Governor Houston to take the oath under the State Constitution, the office of Governor vacant, and appointing Lieutenant-Governor Clark Governor. The office of Secretary of State is also declared vacant.

—A "Convention" of about twenty persons held a session at Mesilla, in Arizona, and voted that Territory out of the Union. An election for Congressmen to the Confederate Congress was ordered.

*March 18.*—The Texas Legislature met. The members of the House and Senate took the oath of allegiance to the new Government, a few of them under protest. Governor Houston and the Secretary of State have retired from their offices and surrendered the archives. Governor Houston had issued an appeal to the people denouncing the State Convention.

*March 20.*—The Arkansas Convention adjourns, after having rejected an ordinance of secession. It was decided, however, to take a vote of the people, in August, on the question of "secession" or "no secession."

—The Texas Legislature passes a resolution approving of the Convention act deposing Governor Houston.

*March 21.*—A resolution passes the Ohio State Legislature, asking Congress to call a National Convention.

—By proclamation of General Bragg, all vessels are prohibited to furnish supplies to war vessels off Pensacola or to Fort Pickens, under penalty of forfeiture to the Confederation.

—A long list of the Confederate army and navy appointments is published. Nearly all of them were formerly Federal officers.

*March 22.*—The Missouri Convention adjourns—having passed no ordinance of secession.

—A dispatch from New Orleans says: "The Commissioners of the Confederate States to Europe—Messrs. Yancey, Mann, and Rost—will leave here on the 31st inst. for Havana, and connect with the British steamer of the 7th of April for England."

—Alexander H. Stephens makes a speech at Savannah, (Georgia,) expounding the principles and purposes of the new Confederacy. He argued that negro slavery was the "chief corner-stone of the new edifice." [See History of Rebellion, Vol. I., pages 30, 31.]

*March 26.*—The South Carolina State Convention reassembles.

*March 27.*—Colonel Lamon, Mr. Lincoln's special messenger to Fort Sumter returns and reports favorably upon the condition of the garrison, but is fully satisfied that reinforcements cannot be introduced without a serious collision, and that the attempt to introduce them would be of doubtful success with the force now at the command of the Administration. He describes the military preparations of the rebels as of great magnitude, and very skilfully made.

*April 2.*—Gov. Houston sends a message to the Texas Legislature protesting against the Convention, appealing to the Legislature to sustain him, and claiming still to be Governor. The Legislature took not the slightest notice of it.

*April 4.*—Virginia Legislature adjourns. The Convention still in session. Proceedings are highly exciting. The Secessionists evidently have the upper hand.

—A dispatch from Washington reads: "The Administration has determined to reinforce Fort Pickens, at all hazards. This determination has not yet been officially announced, but there is reason to believe that active measures will be taken at once for the relief of Lieut. Slemmer's command. The troops of the Confederate States are rapidly concentrating at Pensacola, under command of General Bragg, and preparations are making for a decisive movement. Bragg has nearly four thousand troops under his command, all well armed and in a state of efficiency. Lieut. Slemmer is prepared for the worst, and will sustain the honor of his flag to the last."

*April 5-8.*—The steamers *Atlantic*, *Baltic*, and *Illinois*, load at New York with Navy stores, munitions, &c. Much excitement prevails as to their destination. The frigate *Powhatan* is hurriedly put into commission, at New York, and sails south, April 6th. Great activity at the Brooklyn, the Philadelphia, and the Charlestown (Mass.) Navy-yards. Every Government vessel of war, it is understood, is ordered out of ordinary, to be fitted for commission.

*April 5.*—Kentucky Legislature adjourns. No action taken looking to secession, or resistance to the Federal Government.

*April 6.*—Great excitement prevails throughout the South in consequence of the great naval move-



ments announced. Gen. Beauregard announces to Major Anderson that no further communications will be allowed with the land—thus placing him in a state of siege.

*April 8.*—A dispatch from Montgomery says: "The Cabinet here have just concluded a protracted session on the course to be pursued in the present serious crisis. Jefferson Davis strongly urged an aggressive policy towards the United States, and it was at length decided to instruct the Commissioners at Washington to present their *ultimatum* to President Lincoln, and if it should not be accepted, to declare war."

—A dispatch from Charleston says: "Vessels have been ordered from the range of fire between Fort Sumter and Sullivan's Island. The floating battery sails at 7 o'clock this evening for a point near Fort Sumter. A house has just been blown up near the five-gun battery. Business has been suspended, and fearful excitement prevails. Gen. Beauregard has ordered out 5,000 more troops. Companies of volunteers are constantly arriving and being put in position in the harbor. New batteries are also being constructed."

—More steamers chartered as transports at New York. Great amounts of stores, arms and munitions are being shipped. The armed revenue-cutter *Harriet Lane* puts to sea with sealed orders, followed by the steam-tugs *Yankee* and *Uncle Ben*. The frigate (steam) *Wabash*, the sloop *Savannah*, and the gun-boat *Perry*, at the Brooklyn Navy-yard, are being rapidly prepared for sea.

—Lieutenant Talbot arrives in Charleston, to say that Major Anderson would be supplied with provisions at every hazard. The messenger was denied access to Anderson. Immense preparations were immediately made to repel the reenforcement or supply, come in what shape it might. All Charleston was under arms, and the united defences of the harbor and city placed ready for action.

—The State Department at Washington replies to the Confederate State Commissioners, declining to receive them in their official capacity, but expressing deference for them as gentlemen. The Secretary expresses a peaceful policy on the part of the Government, declaring a purpose to defend only when assailed.

*April 9.*—Gov. Curtin sends a message to the Pennsylvania Legislature, recommending that the State be, at once, placed on a footing of military efficiency, and readiness. He also stated that Mr. Lincoln had informed him of a design to attack and seize the Capital.

—A dispatch from Washington says the designs of the Government are peaceful—that unarmed ships are to supply United States forts with required provision, troops, &c. If they are assaulted, the responsibility of inaugurating war would rest with the assailants.

—A requisition was made by Jefferson Davis upon the Confederate States for 3,500 troops from each, except Florida, which was required to furnish 1,500, all for immediate service.

—The Steam transports *Illinois* and *Baltic* get to sea—the first having 300 and the latter 160 troops on board. The *Atlantic* steamer sailed April 7th, with 358 troops.

—The Steam Sloop of War *Pawnee* sails under seal-

ed orders from Norfolk. She mounts 10 guns and carries 200 men.

*April 10.*—Sloop-of-war *Jamestown* and frigate *St. Lawrence* at the Philadelphia Navy-yard, ordered to be fitted for sea forthwith.

—Troops mustering in Washington from the militia. Adjutant-General McDowell is organizing them into regiments and preparing them for service. Additional forces of regulars ordered to the Capital: Sherman's Artillery from Fort Ridgely, in Minnesota, and two companies of cavalry ordered to report immediately at Washington. The active preparations are understood to result from the known presence, in the vicinity of Washington, of Colonel Ben McCullough, the Texan Ranger, who, having secured the United States forts in Texas, has hurried to the East to lead an attempt upon the Capital.

—A dispatch from Charleston says: "Troops are pouring in from the interior and all is ready for a collision. Fort Sumter will be attacked without waiting for the Abolition fleet. Eagerness for the conflict is unbounded. Messrs. Wigfall, Chesnut, Royston, and others, have secured a place on Gen. Beauregard's staff. The floating battery, finished, mounted, and manned, was taken out of the dock last evening and moored in the cove near Sullivan's Island. The Convention has just adjourned, subject to the call of its President. A large number of its members, after adjournment, volunteered as privates. About 7,000 troops are in the defences, with as many more in reserve."

—L. P. Walker, Secretary of War of the Confederate States, orders General Beauregard to demand the evacuation of Fort Sumter, which demand he is to enforce by proceeding to reduce the fort.

*April 11.*—The Southern Commissioners, Messrs. Crawford, Forsythe, and Roman, left Washington today. Before leaving they transmitted [April 9th] to Secretary Seward a rejoinder, setting forth their reasons for departing, and replying to the positions assumed in his answers to their demands. It was very severe in its tone, charging duplicity on the part of the Secretary. They take the ground that they have exhausted every resource for a peaceful solution of the existing difficulties, and that if civil war results, on the head of the Federal Government will rest the responsibility. They charge the Administration with gross perfidy, insisting that under the shelter of the pretext and assertion that Fort Sumter was to be evacuated, an immense armada has been dispatched to provision and reenforce that fort. They repeat they had almost daily indirect assurances from the Administration that Fort Sumter was positively to be abandoned, and that all the Government's efforts were to be directed towards peace. The Commissioners allege that the Government at Montgomery was earnestly desirous of peace; and that, in accordance with its instructions, as well as their own feelings, they left no means unexhausted to secure that much-desired end; but all their efforts having failed, they were now forced to return to an outraged people with the object of their mission unaccomplished; and they express the firm conviction that war is inevitable.

—A formal demand made by General Beauregard, of Major Anderson, for the surrender of Fort Sumter. Anderson refused compliance with this demand.

*April 12.*—At one o'clock, A. M., a second demand was made, or rather proposition, in which Beau-



regard says, if Anderson will name a day for withdrawing, and will not use his guns, he [Beauregard] would abstain from firing on him. Anderson replied that he would evacuate [if means of transport were afforded him] on the 15th, if, in the meantime he was not controlled by instructions from his government, or if additional supplies were not sent him. He agreed not to open his guns if some hostile act was not committed against him.

—Beauregard, by his aids, James Chesnut, Jr., and Stephen D. Lee, at 3. 20 A. M., informed Anderson that the batteries would open fire on him in one hour from that time.

—Fire opened on Sumter from all the rebel batteries, fortifications, and the floating battery—the first gun being fired at 4. 30 A. M. Anderson returned the fire soon after daylight.

—The bombardment of Fort Sumter. The barracks in the fort on fire three times. Flames suppressed. Firing is furious on both sides.

—Walker, Secretary of War, in reply to a serenade in honor of the bombardment then going on, said that, by the 1st of May, the Confederate flag would float over the dome of the Capitol at Washington—it might, eventually, float over Faneuil Hall itself.

—The Legislature of Pennsylvania passes a bill for placing the State on a war footing. Five hundred thousand dollars are appropriated for arming and equipping the military.

*April 13.*—The bombardment of Fort Sumter continued. The barracks again on fire. Flames obtain control, and the conflagration becomes general in the fort, consuming all wood-work. Magazine has to be closed, and the men are stifled with the intense heat and dense smoke. The bombardment continues with renewed vigor—hot shot and shell pouring into the fort. The upper service magazine explodes, tearing away the tower and upper portions of the building. Fire spread to the gates, which were consumed. Fort is fast becoming a mere ruin—the shot and shell from the rebel batteries cutting away the walls freely. The flag-staff is shot down, when Lieutenant Hall, rushing through the appalling fire, brought it into the casemates. The flag was nailed to the staff and planted on the ramparts. Seeing the flag down, Wigfall, one of Beauregard's aids, passed over to the fortress and

entered one of the embrasures with a flag of truce. He said Beauregard wished the firing stopped, and asked upon what terms Anderson would evacuate. The answer was, "Upon the terms I proposed, and on those only." Wigfall disappeared with the answer. Soon another deputation from Beauregard came, proposing to treat for terms, when Anderson informed them of Wigfall's proceedings—at which the deputation marveled. Terms finally accepted as Anderson first proposed.

—Three Commissioners from the Virginia State Convention to the President of the United States call upon Mr. Lincoln, and demand to know what are his purposes in regard to the Confederate States. The President replies that if an *unprovoked* assault has been made on Fort Sumter, he shall hold himself at liberty to repossess it—to repel force by force. This the Commissioners [Messrs. Preston Stuart, and Randolph] report to the State Convention, (December 14th,) when it is regarded as a Declaration of War, and immediate steps are taken to place Virginia in a state of preparation for secession and resistance.

*April 14.*—Evacuation of Fort Sumter by Anderson. The men all march out with their arms. All individual and company baggage accompanied them. The flag is saluted with a salvo of fifty guns, and is borne away by the troops. The band plays "Yankee Doodle" and "Hail to the Chief" during the debarkation.

—Profound excitement throughout the entire country. But one feeling seems to animate the North—that the Government is right, and shall be supported to the last extremity. Military companies, regiments, individuals, hasten to offer their services. Governor Sprague, of Rhode Island, offers the Marine Artillery and one thousand Infantry for instant service, together with his own services. Other Governors were prepared to do likewise when the news of a proclamation came.

*April 15.*—President Lincoln issues a proclamation, announcing a state of insurrection in the Seceded States too powerful for suppression by the ordinary courts and marshals, and therefore calls on the militia, to the number of seventy-five thousand to cause the laws to be duly respected. The proclamation also convenes both Houses of Congress, to assemble on the 4th day of July, to consider and determine such measures as the crisis demands.



THE  
SOUTHERN REBELLION  
AND THE  
WAR FOR THE UNION.  
—  
DIVISION III.  
—

CHAPTER I.

THE INAUGURATION OF ABRAHAM LINCOLN AS PRESIDENT. HIS INAUGURAL ADDRESS. ITS RECEPTION IN THE SEVERAL SECTIONS OF THE UNION. STATE OF PUBLIC FEELING.

THE 4th day of March, 1861, was a day of painful suspense to the entire country. It was to determine the future of the Republic—to witness the inauguration of a “sectional” President, upon whose words would hang the issues of peace or war, of union or disunion. The fears entertained of violence to prevent the installation, and of danger to the President’s person, served to intensify the apprehension of his friends and partisans, while the position he should assume on National affairs rendered the anxiety in the South especially acute.

At a quarter past one the President and President-elect having been ushered into the Senate Chamber—where their appearance was waited for by the Senate, House of Representatives, Foreign Ministers, Judges of the Supreme Court, &c.—the procession immediately formed and passed to the east front of the Capitol. A vast crowd was in attendance, composed of persons gathered from all sections of the country. The President-elect, stepping forward to the prominent position assigned him, delivered his Inaugural Ad-

dress. His voice was loud, and very clear; his enunciation deliberate, and his manner impressive. If there was danger of assassination, he did not betray the slightest apprehension. His entire action betokened the man ready for duty. The crowd was remarkably orderly, composed as it was, in a great degree, of those who had “come to see the President safely inaugurated.” Though no recognition was given, in the order of exercises, to the Republican “Wide-Awake” societies, as such, it was well understood that at least ten thousand “Wide-Awakes” were present, at the ceremony, armed ready for close conflict, should a resort to arms become necessary. A knowledge of this, together with the imposing disposition of the military, under immediate command of Generals Scott and Wool, served to render the order of the occasion exceedingly satisfactory. The President’s voice reached to the outermost rim of the immense assembly, so commanding were its tones. The Address, as pronounced, and sent upon the wings of the telegraph to all parts of the country, was as follows:



Mr. Lincoln's Inaug-  
ural Address.

" FELLOW-CITIZENS OF THE  
UNITED STATES :

"In compliance with a custom as old as the Government itself, I appear before you to address you briefly, and to take in your presence the oath prescribed by the Constitution of the United States to be taken by the President before he enters on the execution of his office. I do not consider it necessary at present for me to discuss those matters of administration about which there is no special anxiety or excitement.

"Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration, their property, and their peace and personal security, are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed, and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I do but quote from one of those speeches when I declare that 'I have no purpose, directly or indirectly, to interfere with the institution of Slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.' Those who nominated and elected me did so with a full knowledge that I had made this and many similar declarations, and had never recanted them. And, more than this; they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

"*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.'

"I now reiterate these sentiments; and, in doing so, only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in any wise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause, as cheerfully to one section as to another.

"There is much controversy about the delivering up of fugitives from service or labor. The clause I now read is as plainly written in the Constitution as any other of its provisions:

"'No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such

service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due.'

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ural Address.

"It is scarcely questioned that this provision was intended, by those who made it, for the reclamation of what we call 'fugitive slaves' and the intention of the law-giver is the law. All members of Congress swear their support to the whole Constitution; to this provision as well as any other. To the proposition, then, that slaves whose cases come within the terms of this clause 'shall be delivered up,' their oaths are unanimous. Now, if they would make the effort, in good temper, could they not, with nearly equal unanimity, frame and pass a law by means of which to keep good that unanimous oath? There is some difference of opinion whether this clause should be enforced by National or by State authority; but, surely, that difference is not a very material one. If the slave is to be surrendered, it can be of but little consequence to him or to others, by which authority it is done. Should any one, in any case, be content that his oath shall go unkept on a merely unsubstantial controversy as to how it shall be kept?

"Again, in any law upon this subject, ought not all the safeguards of liberty known in the civilized and humane jurisprudence to be introduced, so that a free man be not, in any case, surrendered as a slave? And might it not be well, at the same time, to provide by law for the enforcement of that clause in the Constitution which guarantees that 'the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States?' I take the official oath to-day with no mental reservations, and with no purpose to construe the Constitution or laws by any hypercritical rules; and, while I do not choose now to specify particular acts of Congress as proper to be enforced, I *do* suggest that it will be much safer for all, both in official and private stations, to conform to and abide by *all* those acts which stand unrepealed, than to violate any of them, trusting to find impunity in having them held to be 'unconstitutional.'

"It is seventy-two years since the first inauguration of a President under our National Constitution. During that period fifteen different and very distinguished citizens have in succession administered the Executive branch of the Government. They have conducted it through many perils, and, generally, with great success. Yet, with all this scope for precedent, I now enter upon the same task for the brief Constitutional term of four years, under great and peculiar difficulty. A disruption of the Federal Union, heretofore only menaced, is now formidably attempted.

"I hold that, in contemplation of universal law



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and of the Constitution, the Union of these States is *perpetual*. Perpetuity is implied, if not expressed, in the fundamental law of all National Governments. It is safe to assert that no Government proper ever had a provision, in its organic law, for its own termination. Continue to execute all the express provisions of our National Constitution, and the Union will endure forever—it being impossible to destroy it except by some action not provided for in the instrument itself.

“Again, if the United States be not a Government proper, but an association of States in the nature of a contract merely, can it, *as a contract*, be peaceably unmade by less than *all* the parties who made it? One party to a contract may violate it, break it, so to speak, but does it not require all to lawfully rescind it? Descending from these general principles, we find the proposition that, in legal contemplation, the Union is perpetual, confirmed by the history of the Union itself. The Union is much older than the Constitution. It was formed, in fact, by the Articles of Association in 1774. It was matured and continued in the Declaration of Independence in 1776. It was further matured, and the faith of all the then Thirteen States expressly plighted and engaged that it should be perpetual, by the Articles of Confederation in 1778; and, finally, in 1787 one of the declared objects for ordaining and establishing the Constitution was, ‘to form a more perfect Union.’ But, if the destruction of the Union, by one or by a part only of the States, be lawfully possible, the Union is *less* than before—the Constitution having lost the vital element of perpetuity.

“It follows, from these views, that no State, upon its own mere motion, can lawfully get out of the Union; that ‘resolves’ and ‘ordinances’ to that effect are legally void, and that acts of violence within any State or States against the authority of the United States are insurrectionary or revolutionary, according to circumstances.

“I, therefore, consider that, in view of the Constitution and the laws, the Union is unbroken, and, to the extent of my ability, I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be ‘faithfully executed’ in all the States. This I deem to be only a simple duty on my part, and I shall perfectly perform it, so far as is practicable, unless my rightful masters, the American people, shall withhold the requisition, or in some authoritative manner direct the contrary!

“I trust this will not be regarded as a menace, but only as the declared purpose of the Union, that it will constitutionally defend and maintain itself. In doing this there need be no bloodshed or violence, and there shall be none unless it is forced upon the

National authority. The power confided to me will be used to hold, occupy, and possess the

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property and places belonging to the Government, and collect the duties and imports; but, beyond what may be necessary for these objects, there will be no invasion, no using of force against or among the people anywhere. Where hostility to the United States shall be so great and so universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people that object. While the strict legal right may exist of the Government to enforce the exercise of these offices, the attempt to do so would be so irritating, and so nearly impracticable withal, that I deem it better to forego for the time the uses of such offices. The mails, unless repelled, will continue to be furnished in all parts of the Union. So far as possible, the people everywhere shall have that sense of perfect security which is most favorable to calm thought and reflection.

“The course here indicated will be followed, unless current events and experience shall show a modification or change to be proper; and, in every case and exigency, my best discretion will be exercised according to the circumstances actually existing, and with a view and hope of a peaceful solution of the National troubles and the restoration of fraternal sympathies and affections.

“That there are persons in one section or another who seek to destroy the Union *at all events*, and are glad of *any* pretext to do it, I will neither affirm nor deny. But, if there be such, I need address no word to them. To those, however, who really love the Union, may I not speak? Before entering upon so grave a matter as the destruction of our National fabric, with all its benefits, its memories, and its hopes, would it not be well to ascertain why we do it? Will you hazard so desperate a step while any portion of the ills you fly from have no *real* existence? Will you, while the certain ills you fly to are greater than all the real ones you fly from? Will you risk the commission of so fearful a mistake?

“All profess to be content in the Union, if all *Constitutional* rights can be maintained. Is it true, then, that any right plainly written in the Constitution has been denied? I think not. Happily, the human mind is so constituted that no Party can reach to the audacity of doing this. Think, if you can, of a single instance in which a plainly written provision of the Constitution has *ever* been denied? If, by the mere force of numbers, a majority should deprive a minority of any clearly-written Constitutional right, it might, in a moral point of view, justify revolution; certainly would, if such right were a vital



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one. But, such is not our case. All the vital rights of minorities and of individuals are so plainly

assured to them, by affirmations and negations, by guarantees and prohibitions, in the Constitution, that controversies never arise concerning them.

"No organic law can ever be framed with a provision specifically applicable to every question which may occur in practical administration. No foresight can anticipate, nor any document of reasonable length contain, express provisions for all possible questions. Shall fugitives from labor be surrendered by National or by State authority? The Constitution does not expressly say. Must Congress protect Slavery in the Territories? The Constitution does not expressly say. From questions of this class spring all our Constitutional controversies, and we divide upon them into majorities and minorities. If the minority will not acquiesce, the majority must, or the Government must cease. There is no alternative for continuing the Government but acquiescence on the one side or the other. If a minority, in such a case, will 'secede' rather than acquiesce, they make a precedent which in turn will ruin and divide them, for a minority of their own will secede from them whenever a majority refuses to be controlled by such a minority. For instance, why may not any portion of a new Confederacy, a year or two hence, arbitrarily secede again, precisely as portions of the present Union now claim to secede from it? All who cherish disunion sentiments are now being educated to the exact temper of doing this. Is there such perfect identity of interests among the States to compose a new Union as to produce harmony only and prevent renewed secession?"

"Plainly, the central idea of secession is the essence of anarchy. A majority, held in restraint by constitutional checks and limitations, and always changing easily with deliberate changes of popular opinions and sentiments, is the only true sovereign of a free people. Whoever rejects it, does, of necessity, fly to anarchy or to despotism. Unanimity is impossible. The rule of a minority, as a permanent arrangement, is wholly inadmissible; so that, rejecting the majority principle, anarchy or despotism in some form is all that is left.

"I do not forget the position assumed by some, that Constitutional questions are to be decided by the Supreme Court; nor do I deny that such decision must be binding, in any case upon the parties to a suit, as to the object of that suit, while the decisions are also entitled to very high respect and consideration in all *parallel* cases, by all other Departments of the Government; and, while it is obviously possible that such decision may be erroneous, in any given

case, still, the evil effect following it, being limited to that particular case, with the chance

that it may be overruled, and never become a precedent for other cases, can better be borne than could the evils of a different practice. At the same time, the candid citizen must confess that, if the policy of the Government upon the vital questions affecting the whole people is to be irrevocably fixed by the decisions of the Supreme Court, the instant they are made from ordinary litigation between parties in personal actions, the people will have ceased to be their own masters, having, to that extent, practically resigned their Government into the hands of that eminent tribunal. Nor is there, in this view, any assault upon the Court or the Judges. It is a duty from which they may not shrink, to decide cases properly brought *before* them; and it is no fault of theirs if others seek to turn their decisions to political purposes.

"One section of our country believes Slavery is right and ought to be extended, while the other believes it wrong and ought not to be extended. This is the only substantial dispute; and the Fugitive Slave clause of the Constitution, and the law for the suppression of the foreign slave-trade, are each as well enforced, perhaps, as any law ever can be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation, in both cases, and a few break over in each. This, I think, cannot be perfectly cured; and it would be worse in both cases, after the separation of the sections, than before. The foreign slave-trade, now imperfectly suppressed, would be ultimately revived, without restriction in one section, while fugitive slaves, now only partially surrendered, would not be surrendered at all by the other.

"Physically speaking, we cannot separate—we cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced and go out of the presence and beyond the reach of each other, but the different parts of our country cannot do this. They can but remain face to face, and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory *after* separation than before? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws among friends? Suppose you go to war. You cannot fight always; and when, after much loss on both sides, and no gain on either, you cease fighting, the identical questions as to terms of intercourse are again upon you!

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"This country, with its institutions, belongs to the people who inhabit it. Whenever they

shall grow weary of the existing Government, they can exercise their Constitutional right of amending, or their revolutionary right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendment, I fully recognize the full authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself; and I should, under existing circumstances, favor, rather than oppose, a fair opportunity being afforded the people to act upon it. I will venture to add, that, to me, the Convention mode seems preferable, in that it allows amendments to originate with the *people* themselves, instead of only permitting them to take or reject propositions originated by *others* not *especially* chosen for the purpose, and which might not be precisely such as they would wish either to accept or refuse. I understand that a proposed amendment to the Constitution (which amendment, however, I have not seen,) has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose, not to speak of particular amendments, so far as to say that, holding such a provision to now be implied Constitutional law, I have no objection to its being made express and irrevocable.

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"The Chief-Magistrate derives all his authority from the *people*, and they have conferred none upon him to fix the terms for the separation of the States. The people themselves, also, can do this if they choose; but the Executive, as such, has nothing to do with it. His duty is to administer the present Government *as it came to his hands*, and to transmit it unimpaired by him to his successor.

"Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? In our present differences, is either party without faith of being in the right? If the Almighty Ruler of Nations, with his eternal truth and justice, be on your side of the North, or on yours of the South, that truth and that justice will surely prevail by the judgment of this great tribunal, the American people. By the frame of the Government under which we live, this same people have wisely given their public servants but little power for mischief, and have, with equal wisdom, provided for the return of that little to their own hands at very short intervals. While the people retain their virtue and vigilance, no Administra-

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tion, by any extreme wickedness or folly, can very seriously injure the Government in the short space of four years.

"My countrymen, one and all, think calmly and well upon this whole subject. Nothing valuable can be lost by *taking time*. If there be an object to hurry any of you, in hot haste, to a step which you would never take deliberately, that object will be frustrated by taking time—but, no good object can be frustrated by it. Such of you as are now dissatisfied, still have the old Constitution unimpaired, and, on the sensitive point, the laws of your own framing under it; while the new Administration will have no immediate power, if it would, to change either. If it were admitted that you who are dissatisfied hold the right side in the dispute, there is still no single reason for precipitate action. Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land, are still competent to adjust, in the best way, all our present difficulties.

"In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The Government will not assail you. You can have no conflict without being yourselves the aggressors. You have no oath registered in Heaven to destroy the Government, while I shall have the most solemn one to 'preserve, protect, and defend' it. I am loth to close. We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break, our bonds of affection. The mystic chords of memory stretching from every battle-field and patriot grave to every living heart and hearth-stone all over this broad land, will yet swell the chorus of the Union, when again touched, as surely they will be, by the better angels of our nature."

The President was visited during the evening and the succeeding day, by various delegations, and congratulations were freely extended. But one voice prevailed among his party friends, relative to the Inaugural. It gave the most hearty satisfaction to them, as, indeed, it did to the large majority of people in the still loyal States. The complainants were among those of the opposition whose praise it was scarcely possible to obtain. With such, fault-finding was a chronic disorder.

Reception of the Inaugural by the People.

The reception of the Message throughout the Northern States was enthusiastic in the extreme. Its calmness, kindness, firmness, and devotion to the Constitution, diffused a



confidence, at once inspiring and encouraging. In the Border States it also created a favorable impression, and did so much to strengthen the Union men in North Carolina, Tennessee, and Virginia, that the Secessionists found themselves, for a few days, quite disarmed by its unexpectedly considerate and dignified position. But, from the Confederate Government, came the key-note for the chorus of revolution. The Inaugural was declared to be a message of war, and the order went forth to prepare for the impending crisis of conflict.

A dispatch from New Orleans, dated March 5th, read:

"The Inaugural is regarded as incongruous and contradictory relative to Constitutional rights. The assertion that the ordinances of the Seceded States are void, and their acts insurrectionary, coupled with the determination to hold, occupy, and possess the Government property, and to collect revenue, is received as an open declaration of war. The assertion that no blood will be shed and no invasion made unless the South resists, is ridiculed.

"Dispatches to-day from Montgomery universally concede war to be inevitable. The Southern Congress was engaged in organizing a standing army of ten thousand men. Eight thousand men can at once be placed on a movable war-footing.

"The *Picayune* of to-day states that a precedent exists for the South to regard any attempt at coercion as a declaration of war, by the act of Congress, in 1845, declaring in preamble that 'war exists by the act of Mexico.'"

Dispatches from Richmond, of the same date, expressed defiance of the Government should it attempt to reassert its authority over the "seized" forts, arsenals, &c. The

telegraph in the South being one of the especial instruments of the Secession

leaders, was made to do duty in "firing the Southern heart," and, for a few days, the several Seceded States were, apparently, listening to the martial music of the wires as their chief pastime. The dispatches which came North, from the revolutionary localities, fairly flamed with "indignation," "defiance," "resistance to the bitter end," &c., &c. As matters of interest, showing the temper of "Southern" feeling in the States of Maryland and Virginia, we quote from two journals in the Secession interest:

"Mr Lincoln's Inaugural Address is before our readers—

Southern Excitement  
over the Inaugural.

couched in the cool, unimpassioned, deliberate language of the fanatic, with the purpose of pursuing the promptings of fanaticism even to the dismemberment of the Government, with the horrors of civil war. Virginia has the long-looked-for and promised peace-offering before her; and she has more—she has the denial of all hope of peace. Civil war must now come. Sectional war, declared by Mr. Lincoln, awaits only the signal-gun from the insulted Southern Confederacy, to light its horrid fires all along the borders of Virginia. No action of our Convention can now maintain the peace. *She must fight!* The liberty of choice is yet hers. She may march to the contest with her sister States of the South, or *she must* march to the conflict against them. There is left no middle course; there is left no more peace; war must settle the conflict, and the God of Battle give victory to the right! We must be invaded by Davis or by Lincoln. The former can rally 50,000 of the best and bravest sons of Virginia, who will rush with willing hearts and ready hands to the standard that protects the rights and defends the honor of the South—for every traitor heart that offers aid to Lincoln there will be *many, many* who will glory in the opportunity to avenge the treason by a sharp and certain death. Let not Virginians be arrayed against each other; and since we cannot avoid war, let us determine that together, as people of the same State, we will defend each other, and preserve the soil of the State from the polluting foot of the Black Republican invader. The question 'Where shall Virginia go?' is answered by Mr. Lincoln. She must go *to war*—and she must decide with whom she wars—whether with those who have suffered her wrongs, or with those who have inflicted her injuries. Our ultimate destruction pales before the present emergency. To war! to arms! is now the cry; and when peace is declared, if ever, in our day, Virginia may decide where she will finally rest. But for the present she has no choice left; war with Lincoln or with Davis is the choice left us. Read the Inaugural carefully, and then let every reader demand of his delegate in the Convention the prompt measures of defence which it is now apparent we must make."—*Richmond Inquirer*.

"The Inaugural, as a whole, breathes the spirit of mischief. It has only a conditional conservatism—that is, the lack of ability or some inexpediency to do what it would. It assumes despotic authority and intimates the design to exercise that authority to any extent of war and bloodshed, qualified only by the *withholding* of the requisite means to the end by the American people. The argumentation of the address is puerile. Indeed, it has no quality entitled to the dignity of an argument. It is a shaky spec



men of special pleading, by way of justifying the unrighteous character and deeds of that fanaticism which, lifted into power, may be guilty, as it is capable, of any atrocities. There is no Union spirit in the address; it is sectional and mischievous, and studiously withholds any sign of recognition of that equality of the States upon which Union can alone be maintained. If it means what it says, it is the knell and requiem of the Union, and the death of hope."—*Baltimore Sun*.

The Democratic Press  
of the North.

The "Democratic" Press of the North, with few exceptions, were disposed to regard it favorably. These exceptions were in journals in the Breckenridge interest, which, we may here state, up to the very last possible hour, supported the cause of the Seceding States. The following notices will show their feeling:

"Mr. Lincoln stands to-day where he stood on the 6th of November last, *on the Chicago Platform*. He has not receded a single hair's-breadth. *He has appointed a Cabinet in which there is no slaveholder—a thing that has never before happened since the formation of the Government*; and in which there are but two nominally Southern men, and both bitter Black Republicans of the radical dye. Let the Border States ignominiously *submit* to the Abolition rule of this Lincoln Administration if they like, but don't let the miserable submissionists pretend to be deceived. Make any base or cowardly excuse but this."—*Philadelphia Pennsylvanian*.

"The tone of the Message is courteous, considerate, and even conciliatory. The casual reader would at once be taken by the honeyed phrases in which it is couched, the many obvious truths it contains, and certain admissions of Constitutional rights which, after the frantic denunciations of an Anti-Slavery political campaign, seem almost like concessions. We could reconcile a peaceful policy with the Inaugural, but still there is a sting left. The Inaugural is not satisfactory; it is ambiguous; and we *fear* the Republicans, even while professing the most peaceful intentions. Coercion could not have been put in a more agreeable form; it reads like a challenge under the code, in which an invitation to the field is veiled under the most satisfactory syllables."—*New York News*.

These notices could be extended to great length, but those above given will answer for the tenor of the opposition manifested. In the extreme South it was war; in the Border Slave States it was non-submission to a policy of coercing the rebellious States; among the coadjutors of the revolutionists, in the

Northern States, the feeling was that of spite merely; while, with the Republican journals, and a large majority of the Douglas Democratic organs, the sentiments expressed were those of hearty, earnest congratulation at the promise of a just and firm administration of affairs, let the issue be what it might.

The Inaugural was fiercely assailed in the Senate, Wednesday, (March 6th,)

Clingman's Assault of  
the Inaugural.

by Mr. Clingman, of North Carolina, and defended, very pointedly, by Mr. Douglas. Mr. Clingman said the President expressly declares that he intends to treat the States as if they all were still *in* the Union—thus regarding the acts of secession as a nullity! As certain States had declared their independence, if the President acted upon his decision, war must follow. It is plain and unmistakable that he intends to hold, occupy, and possess the forts, the arsenals, &c., in those Seceded States, when we know this can be done only by dispossessing the State authorities. The collection of the revenue therein must also lead to a collision of arms. After we declared our independence of Great Britain, nobody supposed the colonies would pay taxes. In fact, they refused to pay before their declaration of independence. He repeated, if the President's policy be carried out, there must inevitably be war.

Mr. Douglas could not allow the North Carolina Senator's remarks to pass

Douglas' Defence of  
the Inaugural.

unanswered. He thought the Inaugural was characterized by great ability and directness on certain points. He had read it critically, and thought there could be no doubt as to its intent—that it was a peace rather than a war declaration. If the laws are to be executed, Congress must supply the means. Mr. Douglas assumed that Mr. Lincoln's purpose was to make Congress responsible for the course that he should pursue, as it alone could give him the means to "use, occupy, and possess the property and places belonging to the United States, and to collect the duties and imports."

The President does not say he will take possession of the forts, but that he will hold, occupy, and possess them. This was equivocal language, but he did not condemn the



Douglas' Defence of  
the Inaugural.

President for it. Beyond what may be necessary for these objects there will be no invasion, no using of force among the people anywhere. If it is the duty of the President to enforce the revenue laws, it is his duty to enforce the other laws. It cannot be justified that the revenue laws shall be enforced, and all other laws, which afford protection as a compensation for taxes, shall not be enforced. He thought there were two points in which they could find a solution of these doubts. The President says: "Where hostility to the United States in any interior locality shall be so great and so universal as to prevent competent resident citizens from holding the Federal offices, there will be no attempt to force obnoxious strangers among the people for that object." The President draws a distinction between the exterior and interior. If he has power in one case, he has power in the other. If it is his duty, in one case, to enforce the laws, it is his duty in the other. There was no provision of law which authorizes a distinction in this respect between places in the interior and on the seaboard.

This brought him to the construction of another clause, the most important of all, and the key to the entire policy. But he was rejoiced when he read it. He invited attention to it, as showing conclusively that the President is pledged to a policy which looks to a peaceful solution of our difficulties, and against all others. He says: "The course here indicated will be followed, unless the current of events and experience shall show a modification or change to be proper; and in every case or exigency my best discretion will be exercised, according to the circumstances usually existing, and with a view and a hope of a peaceful solution of the National troubles, and the restoration of fraternal sympathies and affections." In other words, the President says, if the collection of the revenue will lead to a peaceful solution, then it will be collected. If the abandonment of that collection will have that effect, then it will be abandoned. So of the forts and arsenals in the Seceding States. He will recapture or not recapture them, and will reenforce or not reenforce Forts Sumter and Pickens; pledged in either case to a peaceful policy, and acting

with this view. If this is not the true construction, why was there not inserted a pledge to use coercion, retake the forts, recapture the arsenals, collect the revenue, and enforce the laws, unless there was attached to each one a condition on which the pledge was to be carried out? The pledge is only to do what is requisite to a peaceful solution.

He submitted whether or not the friends of peace have not much to rejoice at. The Inaugural was much more conservative than he had anticipated. It was more pacific and conciliatory than he had predicted. He repeated, after a careful examination and analysis, he was clearly of the opinion that the Administration stands pledged to a peaceful solution, and will do no act that will lead to war, and make no change of policy unless necessary to preserve peace. He thought the President had stated the cause of the troubles clearly, and indicated a remedy.

Mr. Douglas also referred quite at length to the other points of the Inaugural, taking the ground that the President's wishes were those of peace — that his only aim was a peaceful solution of the National troubles.

Clingman replied. He said that, on the main points of the address, there was no doubt, for the President said: "I therefore consider that, in view of the Constitution and the laws, the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution expressly enjoins upon me, that the laws of the Union shall be faithfully executed *in all the States*." Can anything be more explicit than that? How does the President execute the laws in Virginia and Pennsylvania? Occupy the forts and arsenals, and collect the duties! This is what he says he will do in *all* the States. But the Senator from Illinois says, if the people will not give him the power, then he cannot do it. How stands the case? The President has control of fifteen thousand men. In the course of a few weeks one-half of them could be concentrated. Would he not feel bound to use the army and navy to retake Fort Moultrie? The language implies this. The President regards the taking of the forts and arsenals as insurrectionary and revolutionary; and, to make the matter more spe-

Clingman's Rejoinder  
to Douglas.



Clingman's Rejoinder  
to Douglas.

cific, he says: "The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government, and to collect the duties and imposts." It is true he says, "beyond what may be necessary for these objects there will be no invasion, no using of force against or among the people anywhere." But, what does this mean? It means that the President will not use force on obedient men. He would not do this in the District of Columbia. But he means to compel everybody to obedience. The Senator from Illinois knows very well that the States which have seceded claim the right to occupy the forts, but the President says he will compel them to pay taxes, &c. If they submit, of course there will be no bloodshed. He (Clingman) might with as much propriety say to the Senator from Illinois, "I intend to take and occupy your house, but I will use no force or violence if you submit." Now, the Seceding States regard their right to the forts as dear to them as a man to his own house, and don't agree to be turned out. He would not, however, argue these points. Every Senator could consider them as well as he could. The Senator from Illinois says the President is willing to acquiesce in the amendments to the Constitution, and in the Crittenden proposition. He wished to know how long it would take for them to amend the Constitution? He believed it took several years at the commencement of this century, and did any man suppose such amendments could be made during the term of this Administration? But, here was a pressing emergency. As to the proposed amendment recently passed by Congress, would it be satisfactory to the South? The Senator from Illinois made a strong statement just before the close of Congress, while referring to the Senator from New York (Mr. Seward) and the Republican party. He (Clingman) regarded it as forcible and true, for the Senator always spoke with great force and effect. That Senator, on the occasion referred to, said: "You offer to amend the Constitution by declaring that no amendment shall be made empowering Congress to interfere with Slavery in the States! If you had exhausted your ingenuity

for increasing the apprehensions and inflaming the passions of the South, with a

view of driving them into revolution, there was none better calculated to produce this result than this one to amend the Constitution, rejecting all others which were infinitely more important to the Slaveholding States. The Senator from Illinois, as the effect of this language, says to the President—by coming out for this amendment and rejecting all others, you are inflaming the passions of the South and increasing their apprehensions. If so, is that a pacific policy?

Mr. Douglas interrupted to say that the President had not declared for that amendment, alone and against all others. In that case he would have proven that he was *not* willing to give security to the South.

Mr. Clingman, resuming, insisted that Mr. Lincoln had recognized one amendment and none other. He knew that the Crittenden amendment has attracted more attention than any other, and that some of the State Legislatures planted themselves on it as an ultimatum. When Mr. Lincoln recommends but one amendment and not others, that is significant. He has ignored every amendment likely to give peace; not only the Crittenden, but the Peace Conference proposition; the latter got up and paraded here with great pomp. None of these things is recommended by Mr. Lincoln. Therefore he (Clingman) said the Inaugural is liable to the construction Mr. Douglas placed on Mr. Seward's remarks. Suppose the Crittenden proposition had received more than nineteen votes. The Senator from Illinois knew it could not have received two-thirds of the Senate. The practical question is, Shall we have an effort to take the forts and a collision, and an attempt to collect the revenue, or not? It will not do to wait two or four years for a Convention to amend the Constitution. If the President uses the power in the way he mentions, we must have war. If he were a friend of the President, he would advise him to withdraw the troops from Forts Sumter and Pickens. The only effect of keeping them there is to irritate the Southern States. Will they allow this condition of things to continue until Congress can be called togeth-

Clingman's Rejoinder  
to Douglas.



er? He thought not. The best policy was to withdraw the troops, and leave the rest to negotiation, and amicable adjudication.

On Thursday, Wigfall, of Texas, *once more* addressed the Senate: As Mr. Douglas had given his views of the Inaugural, it was proper that he (Wigfall) should also make known his opinions. His State having seceded, it was natural to suppose that Wigfall would have considered his lease of the Senate floor as expired; but, the "gentleman from Texas" concluded to stay as long as he pleased—as much from contempt of the United States authorities, as from a desire to intrigue for his Southern cause. He spake with even more than his usual coarseness and insolence, saying:

"Waiving all questions of regularity as to the existence of their Government, they are here to enter into a treaty with the Federal Government, and the matters in controversy must be settled either by treaty or by the sword. It is easy to talk about enforcing the laws, and holding and occupying and possessing forts. When you come to this, bayonets and not words must settle the question, and he would here say that Forts Pickens and Sumter cannot be held much longer. The present Administration will soon be forced to construe the Inaugural. Forts Moultrie and Johnson, and Castle Pinckney, are in the possession of the Confederate States, but the Confederate States will not leave Fort Sumter in the possession of the Federal Government. In reply to Mr. Douglas, he (Wigfall) denied that the Union, as it *was* formerly, now exists legally and constitutionally. The evil is upon us; the disease is seated. A blue pill at night and a cup of coffee next morning may relieve the liver, but when the disease is on you, blistering and blood-letting are sometimes necessary—and, when the patient dies, it is necessary to have a coffin very deep, a funeral service, and things of that sort. As he said the other night, the only question is, whether there shall be a decent, quiet funeral, after the Protestant form, or an Irish wake. The Union is dead, and has to be buried. If you want a Protestant funeral, you can have it; if not, you can have an Irish wake."

He proceeded to refer to the proposed collection of the revenue, and advised the President that he had better deal with the question practically, though, after all, it really mattered but little how he treated it. If he (Lincoln) supposes the reenforcement of Fort Sumter will lead to peace, he can make the

experiment; and so as to recapturing Fort Moultrie. Wigfall Once More. If he should not remove the troops from Fort Sumter, they will be removed for him. The abstract of his further remarkable remarks is:

"The adoption of the Crittenden compromise proposition might have adjusted the difficulties of the country; but it only received nineteen votes in the Senate. The Senator from Illinois (Douglas) has said that 'war cannot preserve the Union.' The Union, however, is dissolved. Seven Southern States have formed a Confederation, and to tell them, as the President has done, that their acts of secession are no more than pieces of blank paper is an insult. He repeated, there is no Union left. The Seceded States will never, surely, come back. They will not now come back, under any circumstances. They will not live under this Administration. Withdraw your troops, then; make no attempt to collect tribute, and enter into a treaty of peace with those States. Do this, and you will have peace. Send your flag of thirty-four stars thither and it will be fired into, and war will ensue. Will you divide the public property and make a fair assessment of the public debt, or will you sit stupidly and idly, doing nothing until there shall be a conflict of arms, 'because you cannot compromise with traitors?' Let the remaining States reform their Government, and, if it is acceptable, the Southern Confederacy will enter into a treaty of peace and amity with them. If you want peace, you shall have it; if you want war, you shall have it. The time for platforms and demagoguism has past. Treat with the Confederate States as independent, and you can have peace. Treat them as States of this Union, and you will have war. Mr. Lincoln has to remove the troops from Forts Pickens and Sumter, or they will be removed for him. He has to collect the revenue at Charleston, Savannah, and New Orleans, or it will be collected for him. If he attempts to collect the revenue, resistance will be made. It is useless to blind your eyes. No compromise or amendment to the Constitution, no arrangement you may enter into, will satisfy the South, unless you recognize slaves as property, and protect it as any other species of property. These States withdrew from the Union, because their property was not protected. The Republicans have preserved an ominous silence on the subject of the Inaugural. The speech of the Senator from Illinois (Douglas) was calculated to produce the impression that Mr. Lincoln will do nothing. But the 'masterly-inactivity' policy cannot prevail. 'Action! Action! Action!' as the great Athenian orator said, is now necessary. You can no longer serve God and Mammon. You must



answer quickly the question. 'Under which king, Bezonian?' You must withdraw your flag from our country, and allow us to have ours, and enter into a treaty with us. Do this, or make up your minds for war in the sternest aspect, and with all its accumulated horrors."

A running debate followed between Douglas and Wigfall, which served to elicit only more of bravado from the Texan Senator. Mr. Mason, of Virginia, finally came to the relief of Wigfall, proclaiming his disunion sentiments in a clear and decided manner. He regarded the Inaugural as a war message. He declared that Virginia would join the Southern Confederacy the moment it became certain that the President was to attempt to retake the seized forts, arsenals, &c.

That the Inaugural did not satisfy these

gentlemen was *prima facie* evidence of its strength and fitness for the crisis. What abasement of self-respect, of political virtue, of loyalty, of truth to trust, did these daring disorganizers demand as the price merely of their friendship! It is one of the most singular illustrations of a want of pride and self-respect on the part of the Senate majority, that these men were allowed to give utterance to their speeches, rank with treason, and impudent in their personal license towards the close of the session. Nothing so vulgar, so coarse, so treasonable, so vindictive as Wigfall's speech, quoted above, ever before stirred the air of the Capitol. Liberty is weak and usurpation is strong when such license is permitted on the floors of any legislative assembly.

## CHAPTER II.

THE PRESS FOR PLACE. FORT SUMTER TO BE ABANDONED. EFFECT OF THE ANNOUNCEMENT. THE CONFEDERATE COMMISSIONERS AT WASHINGTON. THEIR FIRST COMMUNICATION. MR. SEWARD'S "MEMORANDUM" REPLY. ATTITUDE OF THE BORDER STATES IN MARCH. THE CONFEDERATE STATES THREATEN TO COERCE THEM. RICHMOND IN MARCH. REIGN OF TERROR INSTATED.

Office-Seeking THE first week of Mr. Lincoln's term was devoted to the organization of his Administration, the consideration of applications for place, &c. Little could be done for the country in the presence of the swarm of place-hunters who infested the Capital. Like the seven years' locusts, they seemed to spring from the very soil—an eager, excited throng, all intent upon a prize. That mania for office stood out in such relief as to frighten and disgust those who considered the first duty of the President as due to the Nation's concerns. It would appear as if Mr. Lincoln had been elected simply to give each of his partisans government employ. Sumter and Major Anderson's starving garrison—revolu-

tion and impending ruin—had no tongue, excited no terror, in that crowd of mercenary patriots, who were not *all* from Northern States. It was composed of almost every class of persons, from the man of big proportions seeking the fattest sinecure, to the lean but "well-recommended" applicant for the village post-office. May the country ever be spared another such exhibition of political fortune-hunting!

News from Washington, March 10th, indicated the probable "military necessity" of withdrawing Major Anderson from Fort Sumter, and the total abandonment of the Charleston fortifications to the revolutionists. A dispatch said: "It is well known that

Rumor of  
Fort Sumter's Aban-  
donment.



Rumor of  
Fort Sumter's Aban-  
donment.

Major Anderson cannot now be reenforced without imminent danger of a serious collision. Two steamers of light draft, with supplies of men and provisions, have been in readiness for some time to make the attempt whenever ordered, under the command of an officer who is willing to take the risk, and feels confident of success. But the military preparations in and outside of the harbor of Charleston render any such experiment hazardous, unless sustained by a heavy naval force, which could be used now, as the main ship channel is entirely clear of obstructions. The War Department has obtained a detailed statement of the stock of provisions in Fort Sumter, and it is abundant for a considerable time, except in bread, which is not sufficient for over thirty days. One of the first and most important questions, therefore, before the Administration will be, whether Major Anderson will be supplied or withdrawn. That decision cannot long be postponed, for, though he now receives meats and vegetables from the markets of Charleston, this permission may be cut off at any moment, by an order from Gov. Pickens or Gen. Beauregard, to whom Jefferson Davis has confided the direction of military operations there. The Cabinet had a special session of over three hours last night, in which the policy concerning Fort Sumter was fully discussed. An informal conference was also held this morning, at which several members were present. No decision has yet been reached, but the general opinion prevails to-night that the troops will be withdrawn."

It was announced positively, on Monday, March 11th, that Sumter was to be evacuated—that General Scott would assume the responsibility of the act, in view of the impossibility of reenforcing Anderson, except at great loss of life. This announcement caused the utmost excitement throughout the entire country. In the North the feeling ran high against such a step—"resist to the last!" was the paramount sentiment. It was indeed a moment of excitement. No matter, up to that date, had so keenly enlisted public sympathy. Major Anderson became the hero of all notice. The heart of the still loyal portion of the country throbbed to every

word from the Capital, hoping that some way might be opened whereby the Nation would be spared the humiliation of seeing the brave garrison withdrawn from the harbor of Charleston. The hours were subtly but surely instilling into the bosoms of the people a fire which consumed old antipathies, and filled men's souls with the ardor of patriotism that, ere long, was to burst forth in fearful splendor.

The Confederate Commissioners to Washington, Messrs. Crawford and Forsythe, were instructed by telegraphic dispatch from Montgomery, (March 11th,) to proceed with their negotiations at once. Touching their mission, the *Mobile Advertiser* (understood to be edited by one of the Commissioners) said, in its issue of March 3d :

The Confederate  
Commissioners at  
Washington.

"The Commissioners are not accredited to the Administration of Mr. Buchanan; nor, if they were, would it be possible for them to reach Washington in time to communicate with him prior to the 4th inst. They are therefore expected to treat with the new Administration under Lincoln, and the reasonable inference is, that until he shall refuse to communicate with them, or their mission should otherwise prove barren of good results, no attack will be made upon any fortress now held by the United States, or no act of war be undertaken, unless, indeed, which is highly improbable, the new Administration should be insane and wicked enough to disturb the existing *status* by hostile demonstrations against us."

Acting under the orders of the dispatch above referred to, the two gentlemen named addressed their first communication to the Secretary of State, as follows :

The Commissioners'  
first Communication  
to Mr. Seward.

"WASHINGTON CITY, March 12th, 1861.

"Hon. WM. H. SEWARD, Secretary of State of the United States :

"SIR—The undersigned have been duly accredited by the Government of the Confederate States of America as Commissioners to the Government of the United States; and, in pursuance of their instructions, have now the honor to acquaint you with that fact, and to make known, through you, to the President of the United States, the objects of their presence in this Capital.

"Seven States of the late Federal Union having in the exercise of the inherent right of every free people to change or reform their political institutions, and, through conventions of their people



withdrawn from the United States and reassumed the attributes of sovereign power delegated to it, have formed a Government of their own. The Confederate States constitute an independent nation, *de jure* and *de facto*, and possess a Government perfect in all its parts, and endowed with all the means of self-support.

"With a view to a speedy adjustment of all questions growing out of this political separation, upon such terms of amity and good-will as the respective interests, geographical contiguity, and future welfare of the two nations may render necessary, the undersigned are instructed to make to the Government of the United States overtures for the opening of negotiations, assuring the Government of the United States that the President, Congress, and people of the Confederate States earnestly desire a peaceful solution of these great questions; that it is neither their interest nor their wish to make any demand which is not founded in the strictest justice, nor do any act to injure their late confederates.

"The undersigned have now the honor, in obedience to the instructions of their Government, to request you to appoint as early a day as possible, in order that they may present to the President of the United States the credentials which they bear, and the objects of the mission with which they are charged. "We are, very respectfully,

"Your obedient servants,  
"JOHN FORSYTHE,  
"MARTIN J. CRAWFORD."

Mr. Seward's "Memorandum" Reply.

To this formal notice for recognition, Mr. Seward replied, under date of March 15th, in a "Memorandum"—a document which, in diplomacy, tells its story without giving it the seal of an official endorsement. The document read, as afterwards published:

"DEPARTMENT OF STATE, WASHINGTON, )  
March 15th, 1861. }

"Mr. John Forsythe, of the State of Alabama, and Mr. Martin J. Crawford, of the State of Georgia, on the 11th inst., through the kind offices of a distinguished Senator, submitted to the Secretary of State their desire for an unofficial interview. This request was, on the 12th inst., upon exclusively public consideration, respectfully declined.

"On the 13th inst., while the Secretary was preoccupied, Mr. A. D. Banks, of Virginia, called at this Department, and was received by the Assistant Secretary, to whom he delivered a sealed communication, which he had been charged by Messrs. Forsythe and Crawford to present the Secretary in person.

"In that communication Messrs. Forsythe and Crawford inform the Secretary of State that they have been duly accredited by the Government of the Confederate States of America as Commissioners to the Government of the United States, and they set forth the objects of their attendance at Washington. They observe that seven States of the American Union, in the exercise of a right inherent in every free people, have withdrawn, through Conventions of their people, from the United States, reassumed the attributes of sovereign power, and formed a Government of their own, and that those Confederate States now constitute an independent nation, *de facto* and *de jure*, and possess a Government perfect in all its parts, and fully endowed with all the means of self-support.

"Messrs. Forsythe and Crawford, in their aforesaid communication, thereupon proceeded to inform the Secretary that, with a view to a speedy adjustment of all questions growing out of the political separation thus assumed, upon such terms of amity and good-will as the respective interests, geographical contiguity, and the future welfare of the supposed two nations might render necessary, they are instructed to make to the Government of the United States overtures for the opening of negotiations, assuring this Government that the President, Congress, and people of the Confederate States earnestly desire a peaceful solution of these great questions, and that it is neither their interest nor their wish to make any demand which is not founded in strictest justice, nor do any act to injure their late confederates.

"After making these statements, Messrs. Forsythe and Crawford close their communication, as they say, in obedience to the instructions of their Government, by requesting the Secretary of State to appoint as early a day as possible, in order that they may present to the President of the United States the credentials which they bear and the objects of the mission with which they are charged.

"The Secretary of State frankly confesses that he understands the events which have recently occurred, and the condition of political affairs which actually exists in the part of the Union to which his attention has thus been directed, very differently from the aspect in which they are presented by Messrs. Forsythe and Crawford. He sees in them, not a rightful and accomplished revolution and an independent nation, with an established Government, but rather a perversion of a temporary and partisan excitement to the inconsiderate purposes of an unjustifiable and unconstitutional aggression upon the rights and the authority vested in the Federal Government, and hitherto benignly exercised, as from their very nature they always must so be exercised,



Mr. Seward's "Memorandum" Reply.

for the maintenance of the Union, the preservation of liberty, and the security, peace, welfare, happiness, and aggrandizement of the American people. The Secretary of State, therefore, avows to Messrs. Forsythe and Crawford that he looks patiently but confidently for the cure of evils which have resulted from proceedings so unnecessary, so unwise, so unusual, and so unnatural, not to irregular negotiations, having in view new and untried relations with agencies unknown to and acting in derogation of the Constitution and laws, but to regular and considerate action of the people at those States, in cooperation with their brethren in the other States, through the Congress of the United States, and such extraordinary conventions, if there shall be need thereof, as the Federal Constitution contemplates and authorizes to be assembled.

"It is, however, the purpose of the Secretary of State on this occasion not to invite or engage in any discussion of these subjects, but simply to set forth his reasons for declining to comply with the request of Messrs. Forsythe and Crawford.

"On the 4th of March inst., the newly-elected President of the United States, in view of all the facts bearing on the present question, assumed the executive Administration of the Government, first delivering, in accordance with an early, honored custom, an Inaugural Address to the people of the United States. The Secretary of State respectfully submits a copy of this address to Messrs. Forsythe and Crawford.

"A simple reference to it will be sufficient to satisfy those gentlemen that the Secretary of State, guided by the principles therein announced, is prevented altogether from admitting or assuming that the States referred to by them have, in law or in fact, withdrawn from the Federal Union, or that they could do so in the manner described by Messrs. Forsythe and Crawford, or in any other manner than with the consent and concert of the people of the United States, to be given through a National Convention, to be assembled in conformity with the provisions of the Constitution of the United States. Of course the Secretary of State cannot act upon the assumption, or in any way admit, that the so-called Confederate States constitute a foreign Power, with whom diplomatic relations ought to be established.

"Under these circumstances, the Secretary of State, whose official duties are confined, subject to the direction of the President, to the conducting of the foreign relations of the country, and do not at all embrace domestic questions, or questions arising between the several States and the Federal Government, is unable to comply with the request of

Messrs. Forsythe and Crawford, to appoint a day on which they may present the evidences of

Mr. Seward's "Memorandum" Reply.

their authority and the objects of their visit to the President of the United States. On the contrary, he is obliged to state to Messrs. Forsythe and Crawford that he has no authority, nor is he at liberty, to recognize them as diplomatic agents, or hold correspondence or other communication with them.

"Finally, the Secretary of State would observe that, although he has supposed that he might safely and with propriety have adopted these conclusions without making any reference of the subject to the Executive, yet so strong has been his desire to practice entire directness and to act in a spirit of perfect respect and candor towards Messrs. Forsythe and Crawford, and that portion of the Union in whose name they present themselves before him, that he has cheerfully submitted this paper to the President, who coincides generally in the views it expresses, and sanctions the Secretary's decision declining official intercourse with Messrs. Forsythe and Crawford."

This "Memorandum," of course, dismissed the Commissioners; but, through the plots and counterplots of diplomacy, it remained uncalled for, in the Department of State, until April 8th—thus giving the Commissioners a further lease on life at Washington. The final letter of the Commissioners to Mr. Seward, dated April 9th, (given in a subsequent chapter,) will explain the reasons of the delay in calling for Mr. Seward's reply to their first note. Let it suffice here to say, that the diplomatic agents of Mr. Davis' Government were not anxious to be dismissed, and were anxious to remain, in the hope that something would "turn up"—hence, it was not strange that ways and means should have been found to remain in *official* ignorance of Mr. Seward's disposition towards them.

The attitude of the Border Slave States was such

Attitude of the Border Slave States.

as to excite alarm in the minds of the Confederate States' leaders. Missouri, in her Convention assembled, proved wary of the disunion programme, very luringly prepared for her by Governor Jackson and the "Commissioners" from the Seceded States. She positively refused to be borne into the revolution without further and sufficient cause.



Kentucky not only refused to call a Convention, but positively preferred a solution of her troubles *in* the Union. Her Governor essayed the task of preparing the way for "cooperation"—should a resort to arms be had; but, the people, under the inspiration of faithful guardians of her best interests, refused to be won from the path of duty, and remained steadfast in their loyalty.

Tennessee, also, was firmly resolved upon remaining in the Federal Union; or, if the worst should come, of standing in the position of an "armed neutral"—a position about as possible for her to retain, as for gunpowder to sleep beside a bed of coals. Still, the fact that she would not consort with the Confederates, and threatened to keep them from her soil, was sufficient to excite and anger the Secession managers, as well as to cause them much uneasiness in her behalf. Had Andrew Johnson been her Governor, instead of Isham G. Harris, how different would have been her future! She then would have remained a very heart of flame in the centre of the revolution, to send up beacon-fires of loyalty from her glorious hills and valleys—too soon, alas! to become the burial-places for her betrayed sons, the rioting-field for her ruthless invaders.

North Carolina was even more loyal, to all appearances, early in March, than Virginia. Although represented in the Confederate Congress by "Commissioners," her people were regarded as too warmly attached to the old Confederacy to be easily dragooned or lured into the new. Only some brilliant *coup-de-main*, by the Secessionists, could carry the State out of the Union, to which the large mass of her people were truly and sincerely devoted.

And even Virginia hung in the balance! With her Pryor, Ruffin, Tyler, Seddon, Wise, De Jarnette, Mason, Hunter, Garnett, Boccock, Letcher—all crowding her over the precipice into the maelstrom of the revolution, she yet held on, spasmodically and desperately, to the Union. Like one of her own Slave wives clinging to her husband and children when the trader called her for a Southern market, she struggled against a hopeless fate—so powerful were the few over the many. Still, she struggled to the very last.

This hesitation of the Border States called

forth threats of retaliation from the Confederates, not only in the shape of pro-

Threats of Retaliation.

scriptive enactments, but in the more exciting promise of making them the battle-field in the strife, which, it would appear, the Confederate leaders had resolved to inaugurate. The *Charleston Courier*, speaking for the lords of State, in its issue of March 8th, said:

"The Border States, whose position is almost necessarily decided by Virginia, have lost the opportunity of deciding the issue of Union or Disunion. It is now too late for them to discuss that question, which is decided for Disunion by the inexorable logic of events.

"They have almost lost, or will soon lose, the glorious mediatorial privilege of deciding whether Disunion shall be peaceable or forceful. They will soon lose the opportunity of exerting any influence in the question beyond the poor privilege of furnishing the battle-fields and foraging for opposing armies, and of being pressed into reluctant service and action by the prevailing force for the time being.

"No army of hireling myrmidons can or shall ever reach a Southern State, if determination and resolute anticipation can prevent it by carrying the war beyond our borders. Such a movement would be strictly defensive, according to all rules of war, after war has been forced upon us."

The same line of argument was used by most of the influential journals, in the revolutionary interests, in the Confederate limits. The *Montgomery Advertiser*, and other leading papers at the several State Capitals, urged a war policy as necessary to bring the Border States to their side. The leaders were not slow to perceive the vital force of the argument of arms, and hastened in arranging their war policy. Thus, a *Savannah* journal, as early as March 2d, said:

"Every energy on the part of the State, it would seem, is now being sprung to the immediate organization and equipment of the two regiments of 'Regulars' likely soon to be called to the field, led on by their respective chiefs, the intrepid Walker and the gallant Hardee. His Excellency Governor Brown, so prominent in the crisis, and of whom all the South is justly proud, seems omnipresent in supervision throughout the State. Our word for it, Georgia will not be found napping in the hour of trial, but with 'lance in rest and visor down,' ready to welcome the invader of her soil 'with bloody hands to hospitable graves.'"

The resistance to the Secessionist - programme, in the Virginia Convention, impell-



ed the managers to incite tumult against the Unionists, both to intimidate them, and to create a popular feeling for an open espousal of the Confederate cause.

Union Feeling in  
Richmond.

On the evening of the 8th, (March,) Hon. Wm. C. Rives—a name memorable in the political annals of the country—addressed the people of Richmond. His influence was regarded as second to that of no single person in the State—hence the importance attached to his words. His speech was thoroughly Union in its sentiments. He approved the Peace Convention propositions, as wise and satisfactory. He opposed, with all the powers of his logic, the effort to place Virginia “at the tail end of the Southern Confederacy”—to become the chief sufferer, in its behalf, in the event of war. He said the State could reconstruct the Union; and it was her duty, for it was in her power, to do so. Other speakers followed Mr. Rives in the cause of the Union. This demonstration succeeded one of another and more violent character, which transpired during the afternoon of the same day, in behalf of the cause of disunion, and as the beginning of a series of “expressions” especially designed to incite a spirit of violence towards the Unionists.

A Disunion Demon-  
stration.

The Union flag was hauled down from the Market-house pole on the 8th, and, amid huzzas from a great crowd, (composed largely of such turbulence as only Richmond commanded,) the Palmetto flag was run up in its stead. Speeches followed—all in a violent strain, designed and well calculated to arouse popular passions. The *Whig* thus announced the affair:

“Every sentiment of disapprobation of the action of the Convention, every sentiment in favor of secession, was received enthusiastically, and when Mr. Douglas, at the conclusion of his remarks, declared that Virginia would stand with her face to the foe and fall into a glorious grave, before she would permit the march of Lincoln’s myrmidons through Virginia, or permit coercion, the people responded to the sentiment with vociferous applause. Mr. Douglas was followed by Mr. Gordon, Mr. Wilmoughby Newton, Mr. Charles Irving, and Mr. Cropper, and we noted especially that when some of those gentlemen asked what would Virginia do, the people answered, with loud acclamation, ‘Secede!’ ‘Secede!’ Mr. Irving, in the course of his remarks,

impressed on the people that resistance to coercion was not enough; that the true policy was to drive the Convention out of the city. Scarcely had Mr. Irving uttered these words when the people shouted, ‘That’s it!’ ‘that’s right!’ ‘drive them out!’ and these cries were followed by a thundering cheer. After Mr. Cropper concluded, the crowd, which was an immense one, marched to the music of the band of the Exchange Hotel, where Mr. Isbell took his stand on the steps of the hotel, and was cheered most warmly. He addressed the multitude in a thoroughly Southern rights, secession, and anti-coercion speech, and was applauded to the echo throughout. The people then took up their line of march through Franklin Street to the *Examiner* office, where they stopped and gave three hearty cheers for John M. Daniel, editor of the *Examiner*.”

This John M. Daniel was one of Mr. Buchanan’s favorite foreign representa-

The Reign of the  
*Canaille*.

tives, who had returned to the charge of his journal, at the call of the Secessionists, to “help in carrying the State out of the accursed Union”—a Union which he had not failed to misrepresent and malign when abroad. His course, after his return, was one of mingled malignancy and baseness towards every man who presumed to question the propriety of the secession of Virginia. He was a fit embodiment of the spirit of disunion.

The *Whig* further added:

“At the meeting of the people held at the Old Market yesterday, we heard a desire expressed by many of the crowd that the people should march *en masse* to the Mechanics’ Hall, where the Convention was in session, and then and there have their say about the course this old Commonwealth should pursue, and teach the old women in pantaloons of our Convention that they had better become *true men* at once, or *vamose*.”

There were brave and determined spirits in that Convention, who truly represented their people; but they, ere long, became powerless, if not silenced, before the leaders having the *canaille* at their back. It was the drama of the French Revolution attempted on American soil—differing nothing in spirit from it, only lacking its *sans culotte* force of arms. The Virginian who shall truthfully write the story of those forty days will illuminate the page of History with characters and deeds which will prove the “Mother of Presidents” also to have been the mother of Conspirators.



## CHAPTER III.

THE CONGRESS OF THE SECEDED STATES. COERCION OF THE  
BORDER STATES. VIRGINIA'S INTEREST IN SLAVE-BREEDING.  
PERMANENT CONSTITUTION OF THE CONFEDERATE STATES.  
THE TYRANNY PRACTICED IN ITS ADOPTION BY CONVENTIONS.  
VOTES ON ITS ADOPTION. CONDITION OF THE BORDER STATES  
DURING MARCH. CONGRATULATIONS OVER THE FALL OF SUMTER.

The Confederate  
Congress.

THE Confederate Congress remained in session up to March 16th. Its

Star-Chamber proceedings only transpired when it became necessary to divulge the laws enacted. It debated and acted with profound secrecy. The States were living under a *régime* as irresponsible and dictatorial as the rule of the old Venetian Republic which it typified.

On the 6th, (March,) Mr. Curry, of Alabama, introduced and had adopted the following, in open session :

"*Resolved*, That the Committee on the Judiciary be instructed to inquire into the expediency of prohibiting the importation of Slaves into the Confederate States from the United States, except by persons emigrating thereto for the purpose of settlement or residence."

This looked like "coercing" Virginia — whose best source of income was in the production of negroes for a Southern market. Missouri and Kentucky sent some negroes South, but only such as were sold in the breaking up of estates, or were disposed of by owners fearful of the slaves escaping to the North. The Old Dominion alone, of all the States of the Confederacy, made the raising of negroes for market a leading *business*.\*

\* The Richmond *Examiner* gave publicity to the figures of this traffic in negro "stock," which we are sure will take many by surprise :

"There are now in this State negroes of the estimated value of nearly \$400,000,000. Upon an inside estimate, they yield in gross surplus produce, from sales of negroes to go South, \$10,000,000 ; tobacco, \$8,000,000 ; flour, \$8,000,000 ; corn, cotton, and other products, \$2,000,000—a total of \$28,000,000. Most

Mr. Curry proposed to reach the Virginia conscience through the vital channel of her pocket.

March 7th, the Congress confirmed Jefferson Davis' appointments, as follows : Colonel Braxton Bragg, of Louisiana, to be Brigadier-General, and Colonel William J. Hardee, of Georgia, to be Colonel in the army of the Confederate States.

On the 8th the Texan Deputies signed the Provisional Constitution.

The Permanent Constitution of the Confederate States, under discussion for

The Permanent  
Constitution of the  
Confederate States.

several weeks, was finally adopted, March

of the negroes are in cismontane Virginia, and that section pays in taxation, on persons and personal property, lands and lots, and licenses, \$1,750,000, against \$1,000,000 of transmontane Virginia, or three-fourths more.

"From about 1815 to 1845 emigration to the South was greatest. In that time Virginia emigrated some \$450,000,000 worth of slaves ; in the middle decade of the term, \$180,000,000 ; and, notwithstanding the low price at which, with one short interval, slaves ruled in the three decades, and the consequent encouragement to home agriculture, cismontane lands went down 12½ per cent. in the face of a transmontane appreciation of 50 per cent.—a comparative loss to Eastern Virginia of 62½ per cent !"

This last confession, it is presumed, was made unintentionally. That Eastern Virginia lands, which produced most of the slaves for a market, should have *depreciated*, while lands in Western Virginia, a region comparatively free of slaves, should have increased enormously in value, certainly is a thundering argument both against Slave breeding and Slave labor.



10th. It assumed as its basis the Constitution of the United States, but differed from that instrument in important points. One of its added provisions recognized and protected Slavery. A synopsis of the Constitution read as follows :

"No person who is foreign, and not a citizen of the Confederate States, is allowed to vote for any officer, civil or political, State or Federal.

"Under the first clauses South Carolina is entitled to 5 Representatives in Congress; Georgia 10; Alabama 9; Florida 2; Mississippi 7; Louisiana 6; Texas 6; and each State to two Senators.

"The State Legislatures may impeach Judicial or Federal officers resident and acting in said States by a two-thirds vote.

"Both Houses of Congress may grant seats on the floor to either of the principal officers of each executive department, with the privilege of discussing measures of his department.

"Representation on the basis of three-fifths for slaves is continued.

"Congress is not allowed, through duties, to foster any branch of industry.

"The foreign slave-trade is prohibited.

"Congress is prohibited from making appropriations unless by a vote of two-thirds of both Houses, except the appropriations be asked by the head of some department, or the President.

"No extra compensation is to be allowed to any contractor, or officer, or agent, after the contract is made, or the service rendered.

"Every law shall relate to but one subject, and be expressed by titles.

"The President and Vice-President are to hold office for six years.

"The principal officers of departments and the diplomatic service are removable at the pleasure of the President. Other civil officers are removable when their services are unnecessary, or other good causes and reasons. Removals must be reported to the Senate when practicable. No captious removals are tolerated.

"Other States are to be admitted to the Confederacy by a vote of two-thirds of both Houses.

"The Confederacy may acquire Territory, and Slavery shall be acknowledged and protected by Congress and the Territorial Government.

"When five States shall ratify the Permanent Constitution, it shall be established for said States, until ratified. The Provisional Constitution shall continue in force, not extending beyond one year."

Another feature of the revolution was now to be developed. As the entire Secession movement had been made over the heads of

the people, without their direct consent—as Ordinances of Secession had been adopted without their submission to a vote of the people—as the Confederate Congress was made up of members whom the people had no voice in selecting—as a new Government had been put in force, upon which the people were not permitted to vote—it was expected by the Southern communities that, when the Permanent Constitution was to be ordained, the people would have a vote upon it, thus to give their endorsement to the new order of things. But, never were hopes, rationally formed, doomed to a more certain disappointment. *In not a single instance was the Constitution allowed to go before the people for their vote!* The same high-handed tyranny which had prevailed to bring about the revolution, was now too secure in its power to fear the popular clamor; and the State Conventions alone assumed the right to pass upon the final organic law. *Thus, men chosen merely to consider the question of Union or Disunion—or, if the latter was decided upon, to agree upon an Ordinance of Secession, upon which the voters alone should be permitted to pass judgment—usurped dictatorial powers, remained in permanent session, passed Ordinances of Secession, inaugurated a new Government, and, finally, sealed their revolutionary proceedings, by adopting the new Constitution—all without once allowing the popular voice any expression!*

A parallel for such proceedings can only be found in the bayonet-rule of the First Consul of France, and, like his rule, but prepared the way for the next step in tyranny—the assumption of regal power, by one man.

The Alabama Convention ratified the Permanent Constitution March 11th, by a vote of 87 to 5.

Ratifications of the Constitution.

The South Carolina Convention, having taken a recess to April 1st, did not immediately pass the instrument. It was ratified April 6th, by a vote of 114 to 16.

The Louisiana Convention, March 16th, voted down an ordinance for submitting the Constitution to the people—yeas 26; nays 74. The instrument was not adopted until March 21st. It was very bitterly opposed by



the minority, who did not hesitate to pronounce the rule of the Confederate States an unmitigated oligarchy. It was finally adopted by a vote of 101 to 7—many of those in the minority having withdrawn rather than sit under the pressure brought to bear on them.

The Georgia State Convention remained in session until March 23d, to adjust all relations with the new Government. It adopted the Permanent Constitution nearly unanimously, and, before adjournment, passed over to the Confederate Government all the forts, arsenals, custom-houses, &c., "seized" from the United States. It also provided for a loan of five hundred thousand dollars, to be raised on State securities, for the benefit of the Central Government.

The Mississippi Convention ratified the Constitution March 30th, by a vote of 78 to 7.

The Florida Convention, having adjourned, reassembled in April, and then, by an almost unanimous vote, accepted the Constitution.

The Confederate  
Finances.

The loan called for by the Confederate Congress was reported, at first, as having been eagerly absorbed, at *par*; a few days later it was reported that "a few millions had been *reserved*, for the people to have the privilege of investing in;" still later, the Charleston papers began to scold the banks for their tardiness in subscribing to it; and, by March 10th, it was confessed that the Confederate Treasury was able to obtain from the loan scarcely enough for current expenses over and above the Customs receipts. Georgia, as stated above, came to the rescue, with a loan to the Government of five hundred thousand dollars—Alabama having, several weeks previously, voted a like sum. But, in neither case was the money forthcoming. Hence, the Treasury grew weak, and the directors turned longing eyes towards the money belonging to the United States, still in the Mint and Sub-Treasury at New Orleans. How must the hearts of those unpaid patriots have rejoiced on the receipt of the following refreshing document!

"An Ordinance to transfer certain funds to the Government of the Confederate States of America:

"SECTION 1. *It is hereby ordained*, That the sum of three hundred and eighty-nine thousand, two hun-

dred and sixty-seven dollars, and forty-six cents, now in the hands of A. J. Guirot, State Depositary, and known as the Bullion Fund, be transferred to the Government of the Confederate States of America; and that said State Depositary be, and he is hereby authorized, and instructed to pay said sum, upon the order of the Secretary of the Treasury of said Confederate States.

"SEC. 2. *It is further ordained*, That the sum of one hundred and forty-seven thousand, five hundred and nineteen dollars, and sixty-six cents, being the balance received by said State Depositary from the Custom-House, the 31st of January last, be transferred to said Government, and paid by said Depositary upon the order of said Secretary."

Five hundred and thirty-six thousand, seven hundred and eighty-seven dollars, and twelve cents—what a windfall! Truly, those Southern men, "endowed with such keen sense of honor and lofty respect for private virtue," were great rogues, nevertheless—or, rather, their ideas of *meum* and *tuum* were those of the highwayman. "By their plunder shall ye know them," grew to become a well-received aphorism, as applied to the Confederates, early in the year 1861. The Louisville *Journal* thus humorously, but severely, adverted to the Southern mania for "seizures" and "appropriations" of Federal property:

"Crime is progressive, and after the first plunge nothing is more easy than to go from bad to worse. A cotemporary says the fatally demoralizing effect of the first step is seen in the easy transition to other wrongful acts, as in De Quincey's case of the man who, beginning the downward path with murder, went on by degrees until he came to lying, and at last to procrastination; so the Seceding States, beginning with treason and levying war, find it easy to go on until at last they come to downright theft—not of forts only, but of vessels, arms, and money."

The elections ordered in Arkansas, North Carolina, and Tennessee, to test the sentiments of the people on the question of secession, resulted, in the first, in the choice of thirty-five "unconditional Secessionists" and forty "Union men" as delegates to the Convention called. The Union men, however, were known to be so only *conditionally*. The officers of the Convention were chosen from among the "Unionists." It was represented that Arkansas would be

Arkansas.



governed entirely by the course of Virginia and Missouri. The Convention, after a not very exciting session, adjourned March 20th, having passed no Ordinance of Secession. It ordered, however, an election to be held in August, in which the people should vote simply "Secession" or "No Secession." This result did not add to the satisfaction of the Confederate leaders, who confidently expected to have Arkansas in their embraces. It was understood, however, that the State was "all right" for the Southern cause, in event of hostile measures being resorted to by the Federal Government. [See Chapter IV.]

North Carolina. In North Carolina the vote taken was for "Convention" or "No Convention," and, being very warmly contested by the Secessionists, resulted in a larger vote for Convention than was anticipated, though many who voted for the calling of such a body did so with no intention of voting for disunionists as delegates. The final result, as proclaimed, gave the non-Conventionists a small majority. This result was no sooner determined than the Secessionists called a "State Rights Convention" at Raleigh, which, it was resolved by the intriguants, should do what people had refused to do—carry the State out of the Union. The Convention assembled March 22d, and was attended by large delegations from almost every county in the State. There were also present several influential leaders from South Carolina, Virginia, &c. From the very first day's proceedings it became evident that the usual usurpation was to be practiced to commit the State to the revolution—to proclaim the "Ordinance" in spite of the people's acknowledged rejection of it.

Kentucky. This same dodge of a "State Rights Convention" was less successfully played in Kentucky, where, early in March, a secret circular, signed by several well-known local politicians, was disseminated, calling upon the people to organize "State Rights Clubs," the members of which were to sign the following formula:

"We, the undersigned, believing that the dissolution of the Union is a fact, and that Kentucky must take her choice between the North and South, agree

to form an Association for the purpose of maintaining Southern rights and placing Kentucky in her proper position with the South.'

The signers of the Circular also called upon the people to name delegates to a State Convention, which should assemble at Frankfort, March 20th. That insurrectionary secret organization, the "Knights of the Golden Circle," were very powerful in the State, and lent all its energies to the cause of the Disunionists.

The popular vote in Tennessee was very emphatic against calling a Convention. The vote given for delegates, in event of the success of the call for a Convention, was the true test of the comparative sentiment of the people on the question of Union or Disunion. This vote was announced as follows, (March 10th,) several counties not being then heard from:

	UNION.	DISUNION.
East Tennessee.....	30,903	5,577
Middle Tennessee.....	36,809	9,828
West Tennessee.....	24,091	9,344
Total.....	91,803	24,749
Union majority.....	67,054	

The final figures reduced this majority to a little over *fifty thousand*. What should be the meed of infamy to attach to a Governor who bargained to deliver the State over to the Confederate authorities, in the face of such a vote as this? No patriot will care to bear the reputation which will attach to the name of Isham G. Harris!

The news of the probable evacuation of Fort Sumter delighted the Secessionists greatly; and the leading journals of the Seceded States were not slow to use the announcement as evidence of the virtual recognition of Southern independence. The *Charleston Mercury* said:

"Sumter is to be ours without a fight. All will be rejoiced that the blood of our people is not to be shed in our harbor, in either small or great degree. To those who have troubled themselves with vague fears of war on a large scale, and the horrors of war extensively, the relief will be as great as the apprehension has been grievous.

"For ourselves, notwithstanding all the Northern thunder, we have never been able to bring ourselves seriously to believe in the probability of any more

Congratulations over the Evacuation of Sumter.



than a few collisions, sufficient to show that we are in earnest, and competent to make good our position of independence against our would-be masters. These gentry 'hold our valor light,' as also the honesty of the determination of the Southern people to be quit of them and their impertinent and determined interference through a Government in common.

"It may, perhaps, yet be necessary to instruct them a little in these particulars. But it appears that for the present, under the circumstances in this case, they are inclined sensibly to dispense with experiment and its teachings. How far this discretion will revivify the hopes and stimulate the efforts of reconstructionists throughout the South, is a matter to be discovered by observation. The temper and intention of the Northern people have now been so thoroughly developed and exposed to the eyes of all those at the South who will see, that we trust

Union-menders are too late in their attempts upon the virtue and integrity of our peoples. Crushed egg-shells and friendship abused can never be mended.

"We have no doubt, however, that herculean efforts will be made in that direction, and must only take good care of these weaker brethren at the South, whose sentiments are stronger than their reason, or who live in the past rather than the future. The strait-jacket was a valuable invention. But, in the mean time, the prospect of having Sumter is very pleasant."

This last paragraph indicates the entire undercurrent of the Southern movement. "Union-menders" were to be put in strait-jackets, and all who looked backward with longing were to be regarded as weak brethren.

## CHAPTER IV.

### THE ACTION OF THE STATE CONVENTIONS DURING MARCH.

The Virginia Convention.

THE caldron of Virginia politics seethed and bubbled dreadfully during March. The anxiety of the Secessionists became greater as the days progressed, and their violence grew with their anxiety. That the Unionists should have held them so long at bay was aggravating to the rash spirits who led the van of revolution; but, there was no remedy, except in the slow process of thrusting the Unionists down. That the State was to secede had been a foregone conclusion for weeks; even Unionists would quietly concede their cause to be hopeless; but, they struggled on, contesting their ground inch by inch, in a controversy of debate and diplomacy which elicited many eminent speeches -- called forth many displays of patriotism, as well as of treason.

It will be impossible for us to trace at length the daily progress of those fiery debates. A volume of compendious proportions would be required to chronicle the

proceedings of that most notable Convention. When the heat of strife is past, we

The Virginia Convention.

may hope that some impartial hand will gather together the records to serve at once to enlighten as well as to warn a future generation. We may, however, recur to some of the results of its labors, as showing the feeling which animated its counsels.

On Saturday, March 9th, the Committee on Federal Relations reported its majority report, through Mr. R. T. Conrad. The resolutions were stated to be, in brief, as follows:

"The first reaffirms the doctrine of State rights; the second declares interference with Slavery by the Federal or other authorities, or the people, contrary to the Constitution, offensive and dangerous; the third condemns the formation of geographical or sectional parties; the fourth demands a fair partition of the Territories, and equal protection therein; the fifth declares that in time of profound peace with foreign nations as now exists, and when no symptoms of domestic insurrection appear, it is un-



The Virginia Convention.

wise, impolitic, and offensive to accumulate within the limits of a State interested in the irritating pending questions of the deepest importance, an unusual number of troops and munitions of war; the sixth indulges in the hope of a restoration of the Union and fraternal feelings; the seventh recommends the repeal of unfriendly, unconstitutional legislation, and the adoption of proper amendments to the Constitution; the eighth concedes the right of States to withdraw for just causes; the ninth alludes to the position of the Federal Government as disclaiming the power, under the Constitution, to recognize withdrawal; the tenth, without expressing an opinion on the question of power, desires to confer upon the Government powers necessary to deal peaceably with the questions involved, and, if necessary, to recognize the separate independence of the Seceding States, make treaties, and pass such laws as separation may make proper. The eleventh resolution recommends the people of her sister States to respond at their earliest convenience to the foregoing positions, and to an amendment to the Constitution to be proposed hereafter. In the event that Virginia fails to obtain satisfactory responses from the Non-Slaveholding States, she feels compelled to resume her sovereign powers, and throw herself upon her reserved rights. The twelfth makes it an indispensable condition that a pacific policy be adopted towards the Seceded States; that no attempt be made to reenforce or recapture the forts or exact payment of imposts upon commerce, or any measure calculated to provoke hostilities. The thirteenth would regard any hostile action by either side as hurtful and unfriendly, and as leaving Virginia free to determine her future policy. The fourteenth recommends a conference of the Border Slave States, to be held at Frankfort, Kentucky, on the last Monday in May."

Several minority reports were offered. One by Ex-Governor Henry A. Wise deserves mention, as an evidence of the peculiar form of compromise which the "Fire-Eaters" demanded as the price of their remaining in allegiance to the Union. The substance of the Governor's propositions was:

"1. As to a full recognition of the rights of property in African slaves.

"2. As to Slavery in the District of Columbia.

"3. As to the powers of the Federal Government over African Slavery, and the employment of slave labor in the forts, arsenals, dock-yards, and all places ceded by the States for Federal uses.

"4. As to protection against the pretension to lay and collect excessive direct taxes on slaves.

"5. As to the rendition of fugitive slaves.

"6. As to the protection of the right and comity of transit with slaves through the limits of the States, by land or water, and of the right of transportation of slaves on the high seas.

"7. The protection of the right of citizens of the United States owning slaves to sojourn temporarily with their slaves within the limits of Non-Slaveholding States.

"8. The protection of equality of settlement by owners of slaves, with their slave property, in the common Territories of the United States.

"9. As to the rights of negroes or free persons of the African race to all the privileges and immunities of citizens of the several States.

"10. As to the equality of the African race with the white race in the States where it may reside, and the protection of that equality by State laws, and by the laws of the United States.

"11. As to the better security of the independence of the Judicial Department of the Government of the United States, by changing the mode of appointing the Federal Judges.

"12. As to the protection of the Slaveholding States against the abduction of their slaves, by repealing such State or Federal laws as may countenance the wrong, or by passing such laws by the States and by the Federal Government as may be necessary and proper to suppress it.

"13. As to the protection of the domestic tranquillity of the people of the United States by suppressing the incendiary assemblages, associations, and publications which have engendered the sectional wrongs and hatred which have rent the Union asunder, and now threaten a civil war.

"14. The protection of the public peace by suppressing societies and individual efforts for the collection of money and other means to invade the States or Territories of the United States.

"15. And by suppressing all organizations seeking and introducing foreign aid and influence to incite domestic violence in any of the States or Territories of the United States."

The report proposed to give the Free States until 1862 to arrange the guarantees. But the peaceful *status* of Virginia was only conditional, for the proposition added:

"That, in the mean time, it be recommended to the people of this Commonwealth, in the event the Federal authorities shall, under any pretext whatever, attempt to enforce their claim of jurisdiction over the people of the Seceded States, as by collecting the duties for revenue, or diverting the transit or entrance of commerce, or in any other mode, by

The Virginia Convention.



The Virginia Convention.

force of arms, to resist such exertion of force by all the means in their power."

Mr. Harris submitted a report advising secession, immediate and unconditional. Three signatures only were attached to this report.

Mr. Barbour submitted a minority report, to the effect that the Federal Government must immediately adopt measures to afford the people of the Slaveholding States a full constitutional assurance of their safety in continuing in an association with them under a common Government; also recommending the appointment of Commissioners to Montgomery, to confer with the Confederate authorities.

Mr. Baldwin submitted a minority report, indorsing the Peace Convention proceedings; recommending a Border State Convention at Frankfort, Kentucky, opposing coercion. It was in favor of removing all causes of complaint, and charged the excitement and revolutionary condition of things as entirely the work of designing politicians.

Mr. Wickham also exhibited a minority report, opposing coercion, recommending a Border State Conference at Frankfort, and favoring the Peace Convention propositions, as affording the basis of a fair and honorable adjustment.

The discussion which followed the introduction of these reports, was characterized by extreme personal feeling and excitement. Mr. Summers, on Tuesday, March 12th, made a very eloquent and impressive defence of the Peace propositions, and characterized the efforts of the Secessionists as calculated to bring overwhelming ruin on the State and the Union. His words were determined, but not defiant, and were reported as having produced a powerful impression. The controversy called out the venerable vacillator, John Tyler, who had hurried from the Peace Convention at Washington, to the Disunion Convention at Richmond, to stultify himself, as quickly as possible, by repudiating the entire labors of a Congress of his own conception. Mr. Tyler's speech extended to Thursday, in its delivery. He took strong ground against the Peace Convention propositions, as affording Virginia no proper security for

her property in, and production of, Slaves, nor as guaranteeing the Southern

States their just rights in and out of Congress. He desired Virginia to demand full and ample security for herself and sister States as an ultimatum of her remaining in the Union. The "security" demanded implied a recognition and protection of Slave settlement in the Territories—the right of slave transit through, or temporary dwelling in, the Free States—the rigid enforcement of the Fugitive Slave law, and a heavy penalty in event of a negro's escape, &c., &c.

Mr. Conrad advocated the majority report in a speech made Friday, March 15th. He maintained the legal right of secession, though good policy would be to make proper demands for amendments to the Constitution, to which he believed the North would accede. He said he would make these propositions in a future report, and he had no doubt they would be acceptable to the Convention.

Mr. Goggin offered, as an amendment to the majority report, a series of resolves, in brief, as follows: Providing for the withdrawal of Virginia from the Union, without determining her future association; calling for a Border State Convention at Lexington, Kentucky, in May, to propose a plan for constructing a government to be comprised out of said Border States and the Confederate States. It also declared the Union could only be restored by an amendment to the Constitution, originating in the Non-Slaveholding States, for the perfect security of Southern rights.

The various propositions submitted as reports, amendments, &c., continued under discussion during March—the excitement and acrimony daily increasing. Up to April 1st no real progress had been made, except that the Secessionists had grown more violent and menacing and the Unionists less hopeful, even of the scheme of a Border State Conference, at Frankfort, Kentucky.

While the Convention was laboring in the travail of secession, the Virginia Legislature was not an idle spectator. The Secessionist feeling was strongly represented, both in its Senate and House of Delegates, as

The Virginia Convention.



Treason in the Virginia Legislature.

was proven by the passage, in the former, of resolutions of a highly offensive and treasonable character, regarding the removal of some guns manufactured for the United States Government at Bellona foundry, near Richmond. The resolution adopted by the Senate, and sent up to the House for its concurrence, read :

*"Be it resolved by the General Assembly, That the Governor of this Commonwealth be authorized, and he is hereby directed, to order out the public guard, and to call out such of the militia as may be necessary to arrest the contemplated removal of the guns aforesaid; and that he be further instructed to employ all needful force to resist every and any attempt to remove the same beyond the reach and the control of the Government of the State."*

The guns here referred to were manufactured by the founder, under a contract which had been given out by Floyd, two years previously. The contract stipulated that the guns were to be delivered at Richmond for inspection, from whence they might be shipped to the depository at Fortress Monroe. The manufacturer wishing money, had advised the Ordnance Department that the guns were ready for delivery. Colonel Craige gave orders, accordingly, to have them delivered at Richmond for shipment to Fortress Monroe, when the order for payment would be drawn. This called forth the resolution above quoted. It showed the insurrectionary character of the Senate, to which the Governor was understood to respond. In the House the spirit of loyalty to oath, to honor, to duty, and to the Government, was too strong to admit of its endorsement of the Senate's open treason. We may here give from the speech of Colonel Joseph Segar, in the House, an extract, as showing how fearlessly and how prophetically the Unionists spake of the nature and results of secession :

Col. Segar's Anti-Secession Speech.

"These Senate resolutions, Mr. Speaker, are evidently designed as a stepping-stone to the secession of the State—as the entering wedge—the preliminary notice—a scheme to 'fire' the Virginia heart, and rush us out of the Union; and, so regarding them, I might inquire by what warrant it is we may retire from the Confederacy? But I shall not argue this doctrine of secession. The simple history of the Constitution; its simpler and yet plainer reading; the overwhelming authority of our

fathers against it; the crushing weight of opinion against it in our own State—her Jefferson

Col. Segar's Anti-Secession Speech

declaring that even the old Confederation, a government far weaker than the present Federal Union possessed the power of coercion—her Madison, the very father of the Constitution, solemnly asserting that its framers never for one moment contemplated so disorganizing and ruinous a principle—her great and good Marshall decreeing more than once, from the bench of the Supreme Judiciary, that the Federal Constitution did not constitute a mere compact or treaty, but a Government of the whole people of the United States, with supreme powers within the sphere of its authority—Judge Spencer Roane, the Ajax Telamon, in his day, of her State-rights republicanism, endorsing the sentiment: 'It is treason to secede?'—her Thomas Ritchie, the 'Napoleon of the Press' and Jupiter Tonans of the modern democracy, heralding through the columns of the Richmond *Enquirer* the impregnable maxims that 'no association of men, no State or set of States has a right to withdraw from the Union of its own accord,' and that 'the first act of resistance to the law is treason to the United States;' the decisions of some of the most enlightened of the State judiciaries in repudiation of the dangerous dogma; the concurrent disavowal of it by the Marshalls, and Kents, and Storys and McLeans, and Waynes, and Catrons, and Reverdy Johnsons, and Guthries, and all the really great jurists of the land; the brand of absurdity and wickedness which has been stamped upon it by Andrew Jackson, and Webster, and Clay, and Crittenden, and Everett, and Douglas, and Cass, and Holt, and Andrew Johnson, and Wickliffe, and Dickinson, and the great body of our truly eminent statesmen; these considerations and authorities present the doctrine of Secession to me with one side only.

"But I do wish to inquire of my colleagues, if they have seriously reflected on the *consequences* of secession, should it come?

"Do you expect (as I have heard some of you declare) that the power and influence of Virginia are such that you will have peaceable secession, through an immediate recognition of the separate independence of the South? Alas! you hug a delusion.

"Peaceable secession—secession without war! You can no more have it than you can crush in the rack every limb and bone of the human frame without agonizing the mutilated trunk. 'Peaceable secession! (said Mr. Webster) peaceable secession! Sir, (continued the 'great expounder') your eyes and mine are not destined to see that miracle. The dismemberment of this vast country without convulsion! The breaking up of the fount-



Col. Segar's Anti-  
Secession Speech.

ains of the great deep without ruffling the surface!' No! Secede when you will, you will

have war in all its horrors: there is no escape. The President of the United States is sworn to see that the laws be faithfully executed, and he must and will—as Gen. Washington did, and as Gen. Jackson would have done in 1833—use the army, and the navy, and the militia, to execute the laws and defend the Government. If he does not, he will be a perjured man. Besides, you cannot bring the people of the South to a perfect union for secession. There are those—and 'their name is legion'—whom no intimidation can drive into the disunion ranks. They love the old Union which their fathers transmitted to them, and under which their country has become great, and under which they and their children have been free and happy. Circumstances may repress their sentiments for a while, but in their hearts they love the Union; and the first hour they shall be free to speak and to act, they will gather under, and send up their joyous shouts for, the Stars and Stripes. They will not fight with you against the flag; so that there must be a double war—a Federal war, and a war among ourselves. And it may be that whole States may refuse to join in the secession movement (which is most probable,) and then we shall witness the revolting spectacle of one Southern State warring against, and in deadly conflict with, another; and then, alas! will be over our unhappy country a reign of terror, none the less terrific than that which deluged with blood, and strewed with carnage, revolutionary France.

"Suppose, then, the State to have seceded, and war to have opened, what trophies do you look for?—what are you to gain? Will you win greater security for the institution of slavery in the States? You do not want it. None except demented Abolitionists assail it. The Supreme Court has raised an impregnable bulwark for its defence. And even the Republican party (as already remarked) has voluntarily tendered you an amendment of the Constitution forever guaranteeing slavery in the States against even the touch of Federal legislation. 'Hands off!' is their emphatic warning to the Abolitionists.

"Will you strengthen your claim to the common Territories—advance your privilege of carrying your slaves thither? Here, too, the Supreme Court, by the Dred Scott decision, has settled your rights; and the Administration party in Congress have abandoned the Wilmot Proviso—passed territorial laws without any slavery restriction whatever—thus leaving every slaveholder in the South free to enter the Territories with his slaves, and even throwing the ægis of judicial protection over that species of

property when there. Moreover, what care you for this Territorial right? It is of not the least practical concern. Slavery *will* go wherever it is profitable, just as sure as water finds its level. No human legislation can prevent it, because the instincts of the human constitution and the laws of soil and climate are stronger than any law-giving of finite man. Just as sure will slavery *never* go where soil and climate forbid. Now, in none of the Territories do the laws of soil and climate allow slaves to abide. Thus, in New Mexico, which is five times as large as the State of New York, and where slavery exists by law, being recognized and protected by a slave-code, there are, according to the late census, but twenty-six slaves, and they are the body-servants of officers of the civil government and of the army! Why, then, should the North care to exclude slavery from Territories from which God and nature have ordained its exclusion; and what should the South care for the right to carry slaves where Almighty God has decreed they shall never go? Of what practical value to the South is a privilege which, admitted, has carried to an area five times the territorial extent of New York only twenty-six slaves? Now, I ask, if for so worthless a boon we shall give up this great and glorious Union, whose benefits are pre-eminently practical, and as genial and numerous as they are practical? And shall we aggravate our folly by stickling for this right to the point of disunion, when the right, if worth anything, is fortified and secured by the decision of the highest judicial tribunal of the land, and controverted by none? Shall we go to war, and to civil war, for a bauble so empty and worthless?"

The Missouri Convention  
labored in a much less excited session than was at

The Missouri State  
Convention.

first apprehended. The Committee on Federal Relations returned, through Judge Gamble, on the 9th of March, a majority report of great length. It gave a somewhat elaborate *exposé* of the state of the country and of Missouri's situation in the crisis; adverted, in a Southern view, to the wrongs of which the State had a right to complain; read the Northern States a severe lecture on the errors of their ways, and hoped a better acquaintance with Slavery would make them less hostile to its rights, &c., &c. The Report closed in a series of resolutions, as embodying the sense of the Committee, viz.:

"Resolved, That at present there is no adequate cause to impel Missouri to dissolve her connection with the Federal Union, but, on the contrary, she will labor for such an adjustment of the existing



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troubles as will secure peace,  
rights, and equality to all the  
States.

"*Resolved*, That the people of this State are devotedly attached to the institutions of our country, and earnestly desire that, by a fair and amicable adjustment, the present causes of disagreement may be removed, the Union perpetuated, and peace and harmony be restored between the South and North.

"*Resolved*, That the people of this State deem the amendments to the Constitution of the United States proposed by Mr. Crittenden, with the extension of the same to Territories hereafter to be acquired, a basis of adjustment which will successfully remove the causes of difference forever from the arena of national politics.

"*Resolved*, That the people of Missouri believe that the peace and quiet of the country will be promoted by a Convention to propose amendments to the Constitution of the United States; and that this Convention urges the Legislature of this State to take steps for calling this Convention.

"*Resolved*, That in the opinion of this Convention, the employment of military force by the Federal Government to coerce the Seceding States, or the employment of force by the Seceding States to assail the Government of the United States, will inevitably plunge the country into civil war, and thereby extinguish all hope of an amicable settlement of the issues now pending.

"We therefore earnestly entreat the Federal Government as well as the Seceding States, to stay the arm of military power, and on no pretense whatever bring upon the nation the horrors of civil war.

"*Resolved*, That when the Convention adjourn, it adjourn to meet at Jefferson City, on the third Monday in December.

"*Resolved*, That a Committee be elected, a majority of which shall have power to convene the Convention at such time and place prior to the third Monday in December, as the exigencies may require."

Mr. Redd, while indorsing the spirit and words of the majority, still did not approve of the plan of adjustment proposed; and asked leave to present a minority report on the following Monday.

A correspondent, writing of the relative character of the Convention and Legislature, said: "The Union feeling in the Convention is strong; none admitting themselves to be Secessionists, but most of them avowing sympathy with the South, and quite ready to denounce the North. The Executive is a violent and avowed Secessionist, and though

the Legislature at first manifested some Union feeling, it is now acting in concert

with the Governor. Both are very bitter upon the Convention, and denounce its action. It is not doubted that the Governor is in constant communication with the Southern traitors, and is determined to force the State into secession."

The majority resolutions of the Committee on Federal Relations, as above quoted, were debated up to March 22d, and adopted, with some slight modifications—the amendments rather toning down the elements of the originals to a spirit more in consonance with true Union sentiment. The Convention adjourned March 22d, leaving the revolutionary Legislature still in session. Gov. Jackson was thoroughly displeased at the want of sympathy shown Secession by the people delegates to the Convention; and that restless coadjutor of the conspirators immediately began to concert ways for betraying his State in spite of the action of the Convention.

The St. Louis *Republican*, one of the most influential papers in the Mississippi Valley edited in behalf of the Slave interest, gave this *résumé* of the Convention's proceedings:

"The voice of Missouri has been spoken through the Convention called for that purpose. That voice pronounced that further concessions should be made with a view to the restoration of the Union of the States, and, definitely, that these concessions should have the Crittenden resolutions for their basis.

"That voice declares that a reunion would be imperiled by the use of force on the part of the Federal Government, against the people of the Seceding States, and specially advises that Federal troops be withdrawn from the States where collision threatened. Firm and steady in its expression, it declares for the National Convention, in the hope that its deliberations may result in measures which will secure that object.

"The same voice consistently pronounced that there is at present no adequate cause for retiring from the Union, and refuses at this time to pledge Missouri in Secession, even in the event that the rest of the Border States secede, or that no plan of adjustment will be acceded to by the North.

"The inference to be drawn from the action of the Convention is, that Missouri is in favor of every reasonable mode of adjustment calculated to call back the Seceding States, and, in default of obtaining

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such measure, favors steps for bringing about a peaceable separation between the Union and the Southern Confederacy; and, also, that her mind is in a state of suspense as to the question of retiring from the Union upon the happening of the contingencies which have been mentioned."

Sworn delegates, viz., Hamilton B. Gamble, John B. Henderson, Wm. A. Hall, James H. Moss, Wm. Douglas, Littlebury Hendricks, and Wm. G. Pomeroy, were chosen to the Border State Convention, proposed in the 4th resolution of the series reported and adopted.

The revolutionary leaders had counted upon Missouri and Arkansas as certain for their schemes, but had, evidently, been mistaken in the means employed, which were not proportioned to the ends. Arkansas, however, was so wholly within the atmosphere of a Slave dominion, and was so closely identified in interest with the Confederate States, that her secession was but a question of time. In the previous chapter we have adverted to the result of her Convention, but may here refer to its special proceedings more specifically, to show the actual nature of the public sentiment of the State, during March.

The Arkansas State  
Convention.

The Convention discussed the Ordinance of Secession for thirteen days, when it was rejected, by a vote of 35 ayes to 39 nays. This instrument, had it been adopted, was to have been submitted to the people for their sanction. The rejection of the Ordinance was so far reconsidered, that, after two days further sitting, the Convention adopted an act, providing for an election throughout the State on the 1st Monday in August following, at which the people were to vote on the question of "cooperation" or "secession;" also, another Ordinance, in the form of a resolution, providing for the sending of five Commissioners to a Conference of the Border States, proposed to be held at Frankfort (Kentucky) on the 27th of May, with a view to endeavor to effect an adjustment of the pending troubles. The Convention then adjourned to the 17th of August.

The Ordinance provided, in its 5th section, that, "if a majority of the votes (cast at the election named) shall be for 'secession,' then

such vote is to be regarded as instructing the Convention to pass an act of immediate secession, and the Convention is at once to pass such an ordinance; but if a majority of all the votes shall be cast for 'cooperation,' then the Convention is immediately to take such steps as may be deemed proper to further cooperation with the Border or unseceded Slave States, in efforts to secure a permanent and satisfactory adjustment of the existing sectional controversy."

Outside, as well as inside, pressure, was brought to bear on members of the Convention by those laboring in behalf of the interests of the Confederate States. The anxiety of the chiefs of the new Government, to include Arkansas in their dominion, to make her bear her burden of the conflict for the "defence of Southern rights," may be seen in this appeal made by President Davis to the Convention, to which he dispatched a special commissioner:

"MONTGOMERY, Alabama, March }  
9th, 1861. }

"*To the President of the Convention of Arkansas:*

"SIR—The Government of the Confederate States of America having an earnest desire that the State of Arkansas should unite her destinies with ours, I have been authorized to appoint, and do hereby appoint, Williamson S. Oldham, a delegate in the Confederate Congress from the State of Texas, as special Commissioner of this Government to the State of Arkansas. And I have the honor to introduce him to you, and to ask for him a reception and treatment corresponding to his station and to the purposes for which he is sent. These purposes he will more fully explain to you.

"I have learned with great satisfaction that you and the body over which you are called to preside have assembled for the purpose of taking into consideration your relations to the Government of the United States. Feeling that we have common interests, common wrongs, and common dangers, we cordially invite you to unite with us, and adopt the only mode of redress which, in our judgment, will secure our future tranquillity and safety—separation from the United States.

"Hoping that through his agency these objects may be accomplished, I avail myself of this occasion to offer to you the assurance of my most distinguished consideration.

"JEFFERSON DAVIS."

This was laid before the Convention at the



critical moment (March 16th) when the fate of the proposed Ordinance of Secession hung in the balance. The vote taken on the 18th, as recorded above, rejecting the Ordinance, (35 to 39,) proves the Union sentiment to have been stronger than sympathy for the Davis Confederacy. Where Messrs. Rust and Hindman were, during the contest in the Convention, we are not informed. Doubtless the politic Rust preferred to await the free expressions of the people, as represented by their delegates; then, in event of the rejection of an immediate act of secession, to propose the "compromise"—which, it will be seen, succeeded—of a vote in August. He would see to it that that vote should be polled as would then seem most propitious for his schemes and the interests of his State. In all his ambitions, Mr. Rust really entertained an earnest purpose to promote the ascendancy of his State.

The Revolution in  
Texas.

Affairs in Texas, during March, assumed several remarkable phases. The State was in process of a revolution, not only against the United States, but also against its own Constitution and State authorities; while the disbanding of the Federal army, through the treason of General Twiggs, and the seizure and occupation of the United States posts by the suddenly created military power, under general command of Colonel Ben McCullough, added not a little to the excitement and disorder prevailing. Throughout the entire State the spirit of lawlessness and insurrection existed long before the vote on secession, ordered by the "bogus" Convention, had been taken. A love of disorder seemed to animate the people; and, though the United States had sacrificed millions in money to secure the prosperity and safety of the Texan people, the obligation was made the theme of curses instead of thanks. Such was Texan honor—fitly embodied in that precipitate of impudence, Louis T. Wigfall.

The Texas State Con-  
vention.

A dispatch from Austin, dated March 4th, made the following announcements:

"The first business in the Convention to-day was the counting of the vote of the people for and against secession. Eighty-four counties had sent up returns,

which were counted in open Convention, with the following result, in the aggregate:

For Secession.....	34,794
Against Secession.....	11,235
Majority for Secession.....	23,559

On the announcement being made, the President, the Hon. O. M. Roberts, pronounced Texas a free and independent State. A fervent prayer was then offered by the Hon. and Rev. Mr. Maxey, a member of the Convention, after which the Lone Star flag was hoisted upon the dome of the capitol, and greeted by salvos of artillery. The count will be kept open until the 15th inst., by which time the remaining (fifty) counties will have sent up their returns. The result will not be materially changed in any other way than the increasing of the majority for Secession."

True to the precedent established by the usurpations of other Conventions, the Texas Convention remained in session after the Ordinance of Secession was promulgated, and proceeded to legislate in utter disregard of the Legislature. Governor Houston refused to recognize the legislative or executive functions of the body, elected, at best, in the most irregular and unauthorized manner. He considered the authority of the Convention—be that what it was—to have ceased with the passage of the Ordinance of Secession. In his communication to the usurping delegates, he refused to acknowledge their authority in further legislation—telling them that the Legislature would attend to their own business. He gave his views, at some length, in the communication to the Convention, favoring a new Convention to amend the State Constitution, and opposing any scheme for blending Texan nationality with the Southern Confederacy.

This "rebellion" of the old Governor excited the delegates greatly. They proceeded, at once, to inform "Old San Jacinto" of their supreme power over Governor and Legislature, and promised to consummate the union of Texas and the Southern Confederacy at as early a day as possible.\* The Convention proceeded to pass an Act of Al-

\* Texas was already represented in the Montgomery Congress. [See page 335, Vol. I.] Before the State was out of the Union by the provisions of its own Ordinance, delegates were sent to the Montgomery Congress and admitted to seats!



legiance, by which Governor Houston and all officers of the State were to take a new oath to support the Confederate Government and to carry out all ordinances of the State Convention. Governor Houston immediately left Austin, to avoid further conference with the Convention. It was determined to depose him in event of his refusal to subscribe to the oath.

On the 20th March an ordinance was passed deposing the old Governor; also calling upon the Secretary of State to account for his refusal to appear, as did the other State officers, before the Convention, to take the oath of allegiance. Lieut.-Gov. Clark was soon installed as Governor, while the Secretary of State was made to give up his seal of office and the records. This deposition it was thought Gov. Houston would resist by calling out the military, over whom his influ-

ence was great; but, worn with illness, and seeing the impossibility of anything like successful resistance to the impetuous course of events, the patriotic old man bowed to the tyranny and withdrew to private life, to witness a state of affairs which must have made him weep tears of blood. The Legislature endorsing the acts of the Convention acknowledged its supremacy. The reign of tyranny was complete. Texas, baptized in the blood of heroes, and lifted from the dust by the United States Government, passed her birthright into the keeping of dishonored sons, to become a reproach among men of honor. She nursed at the Union's affluent breast until she became strong; then she spurned her benefactor, and would have stabbed the bosom of her life, had there not been strong arms to shield the outraged parent.

## CHAPTER V:

### EXTRA SESSION OF THE UNITED STATES SENATE.

Confirmation of the  
Cabinet

THE Senate was convened in extra session, Tuesday, March 5th, to consider the appointments of the new Administration. The first communication from the President was received at 5 P.M., announcing the nominations to his Cabinet, [see page 490, Vol. I.] all of whom were confirmed, unanimously, except Messrs. Bates and Blair. These gentlemen, being from Slave States, were opposed by a few of the radical Southern Senators, on the ground that no Southern man ought to find a place in a Republican Cabinet.

The Standing Committee  
Chairmanships.

On the 6th, the Committee Chairmanships were announced by the Vice-President. The dominant party being in the majority, owing to the withdrawal of the Sen-

ators from the Seceded States, was apportioned the chair on all the Standing Committees, as follows: Foreign Relations, Mr. Sumner; Finance, Mr. Fessenden; Commerce, Mr. Chandler; Military Affairs, Mr. Wilson; Naval Affairs, Mr. Hale; Judiciary, Mr. Trumbull; Post-office, Mr. Collamer; Public Lands, Mr. Harlan; Private Land Claims, Mr. Harris; Indian Affairs, Mr. Doolittle; Pensions, Mr. Foster; Revolutionary Claims, Mr. King; Claims, Mr. Clark; District of Columbia, Mr. Grimes; Patents, Mr. Simmons; Public Buildings, Mr. Foot; Territories, Mr. Wade; To Audit Expenses of Senate, Mr. Dixon; Printing, Mr. Anthony; Enrolled Bills, Mr. Bingham; Engrossed Bills, Mr. Baker.

This was the first instance, in the history



of the country, wherein the North had received a majority of the chairmanships. The Senate, from the formation of the Government up to 1860, was under the control of the South—so much so as to become recognized as the “Southern House.” The South only thought of a disseverance of the Union when it found the uninterrupted control of the Senate about to pass from it. The admission of Kansas, Oregon, and Minnesota, and the early coming in of Nebraska, threw the numerical scale to the North, in the Senate, as the popular voice had thrown the representation in the House. The power of the South, as a section, was indeed gone, and a new Confederacy was conceived by the defeated leaders to be their only remedy if they would remain in power.

The President’s Inaugural being called, on a motion to print it, Mr. Clingman, of North Carolina, and Wigfall, of Texas, assailed it in very strong terms, while Mr. Douglas, in an unexpected manner, defended it. [See pages 11–15.] The demeanor of the Texan Senator, in particular, was so offensive—his speech so rank with treason and insolent in its tone—that, on Friday, March 8th, Mr. Foster, of Connecticut, introduced the following resolution :

The Expulsion of  
Wigfall.

“Whereas, Mr. Wigfall, now Senator of the United States from Texas, has declared in debate that he is a foreigner, and owes no allegiance to this Government, but to a State and foreign Government : therefore,

“Resolved, That Louis C. Wigfall be expelled from this body.”

Mr. Clingman moved to amend Mr. Foster’s resolution by striking out all after the word “whereas,” and insert, “It is understood that the State of Texas has seceded from the Union, and is no longer one of the United States ; therefore, be it

“Resolved, That Texas is not entitled to be represented in this body.”

The Texan not being in his seat, the resolution was allowed to pass over. The introduction of the resolution created considerable excitement, particularly among the Northern Democrats, as they would, on the vote, be compelled to go upon the record in the matter of treason. Thus far in the year they had succeeded in dodging the re-

sponsibilities of votes which might array them clearly and definitively with the North, and they, doubtless, preferred that it should be so to the end of the session ; but this resolution, if pressed, would compel a general “showing of hands.”

On Monday, March 11th, the consideration of the *Foster vs. Wigfall.* resolution was resumed, when Foster supported it in a speech of much decision, while Clingman, Hunter, and Mason all sought to shield the Senator from expulsion. Their own fate was foreshadowed in the rule which should apply to Wigfall. Foster’s argument for the expulsion was based on purely Constitutional grounds. The declaration of the Senator that he did not owe allegiance to the United States Government disqualified him for holding a seat in the Senate. The substance of his argument was thus reported :

“The substitute of the Senator from North Carolina assumes that Texas has a right to secede, and it was a logical conclusion that in such event she had no right to seats here. In this he differed from the Senator. He did not believe any State has the right or power under the Constitution to secede or take itself out of the Union of the States which go to make up those of America. He differed widely and radically from such theories. It was altogether monstrous that this Government, one of power and authority, could be dissolved. Argument, therefore, was unnecessary with those who held to a different opinion. Two men might as well undertake to reason in a foreign language which one understood and the other did not. That no such thing as Secession was known to the Constitution, was too plain to argue or admit of a doubt. After a brief argument on this point, he said, whether Texas has seceded he was not informed. He meant by a vote of the people, or some body representing them. He should hold that the Senator was entitled to his seat for all that, on sound constitutional grounds. Could that State, by withdrawing from the Union, withdraw him from this body? No. He is entitled to his seat according to the forms of the Constitution and the authority of his State, and the State has no power legally or constitutionally to withdraw him from this body during the term for which he was elected. He did not think the substitute met the question. He did not know what right the Senator (Clingman) had to say that Texas has seceded from the Confederacy of the States and no longer belongs to the United States, but even if there were official notice it would be a nullity. If a State has withdrawn and



given the Senate even official notice, what right had they to say that she should be no longer entitled to representation? They were clothed with no such authority."

Clingman's Defence  
of Wigfall.

Clingman's defence of Wigfall was sought to be on purely logical grounds—the North Carolina Senator not caring to speak out personally in the matter. He said:

"Was it ever maintained, because one Senator differed from another on a constitutional question, that that was a reason to expel him? It might be supposed that the Senate could expel a man who thought and agreed that the moon was made of green cheese, [laughter,] and that such a one should be driven out. But would any gentleman say he ought to be driven out? Fifteen Senators have gone out, believing their States have a right to secede. The mother of States and statesmen, Virginia, has always maintained that opinion. If it is an error for the Senator from Texas to believe his State has a right to secede, why not expel the Virginia Senators; and especially why not expel those gentlemen who declared it, and have gone away? Why is it that their names are still called? They have gone away, showing an utter disregard for contrary opinions. But the Senator says Texas has taken possession of some of the public property. Is that a good reason? If so, it applies with more force to other States than Texas. Why did the Senator from Connecticut allow the name of Jefferson Davis to be called, and not move to expel him? Not only had that gentleman's State seceded, but he had advised arms and forts to be seized, and was at the head of a foreign Republic; but no motion was made to expel him. The Senator said he deemed it his duty to make a motion to expel Mr. Wigfall. Senator after Senator had made similar avowals, and even advised their citizens to take possession of the defensive works of the United States. Senator Toombs declared that he gave such advice. Why, then, single out the Senator from Texas? His friend, Mr. Wigfall, had said his State has seceded, and with great frankness added that therefore he regarded himself as a foreigner. But this did not afford sufficient ground for his expulsion. He had pursued the policy of other retiring Senators by remaining here, and was awaiting official information. The course proposed by the Senator from Connecticut was not the proper one. All they could do was to say that the Senator from Texas is mistaken on a constitutional and legal point. If Texas has not seceded, he is entitled to his seat here, notwithstanding the opinion he expresses."

This reference to the Virginia Senators called up both Mason and Hunter, who had

remained to attend the extra session, although both refused to be present at the Inauguration ceremonies. Their speeches were unequivocal and open avowals of their antagonism to the General Government.

Mason remarked, in substance, that the resolution was clearly for the expulsion

Mason's Support of  
Wigfall.

of the Senator from Texas for what he had said on the floor. The Constitution enables the Senate to protect itself, and gives power to expel a member, provided that two-thirds vote for the resolution. But the expulsion of a Senator is punitive in character, and the intention of the Senator from Connecticut is to punish the Senator from Texas for what he uttered in debate. The Senator from Connecticut said what the Senator from Texas had avowed was inconsistent with holding a seat on this floor. The Senator had declared that he was a foreigner, and not a citizen of the United States, but owed allegiance to a foreign Government. If the Senator from Connecticut thought the Senator from Texas ought not to occupy a seat there, because he is not a citizen of the United States, he ought to move to refer the subject to a committee, so that if the facts warrant, the seat will be declared vacant. If it be a punishable offense to allege a constitutional truth, then the resolution may be well founded. For one, he (Mason) recognized no allegiance to this Government. He recognized and acknowledged no allegiance to this Government, none whatever; and he there took his position beside the Senator from Texas, although Virginia is a constituent of this Government, and he one of her representatives. He owed allegiance to Virginia, and to no one else. Did the Senator from Connecticut resist the doctrine of constitutional law, and hold that the Government of the United States is still a sovereign? If he did, God help him! So far as the Senator from Texas has committed an offense by saying he owed no allegiance to this Government, he stood by his side. He should be unfaithful to Virginia if he did not. The old feudal idea of allegiance was the relation between the subject and sovereign, between the vassal and lord. Allegiance here is that which is due from a citizen to a sovereign power. He



Mason's Support of  
Wigfall.

knew of no sovereign except the State. He took it for granted that Connecticut is the Senator's sovereign, and that if he yields allegiance to this Government, he is faithless. The oath of allegiance in Virginia, to be taken by all who are admitted to the political powers of the State, is faithfully and truly to support the Commonwealth. If the Senator from Texas is a foreigner, he is not a citizen of the United States. But that is because of the fact, not because of the allegation, for the Constitution says that a foreigner shall not have a seat on this floor. The Senator from Texas said he believed he was a foreigner to this Government, because Texas has separated herself from it; for the Senator did not then know the fact, nor did he know it now, unless he believed the intelligence last night. The Senator believed that Texas has seceded, because he knew the popular sentiment of the State; and yet, because of his declaration, the Senator from Connecticut sought his expulsion. The Senator and others, and the new President, assume that the Ordinance declaring separation is null, and the State holds the same relation it did before the passage of the act. We (said Mr. Mason) deny it; Virginia denies it. Six of the States, as far as we know, not only deny it, but have acted on it; and not only have confederated, but formed a Government prepared to sustain itself, if this Government shall attempt to attack it. If the Senator from Connecticut would say that the act was a nullity, then he held language which he (Mason) thought, with great respect to him, is more disrespectful tenfold than the language for which the Senator says the Senator from Texas deserves to be expelled. Why? Because by that language five millions of people and seven sovereign States are in *insurrection*. They declare the acts of Secession nullities, although these States seize what they call public property. Yet, acknowledging all other, they take no means to recover it. In not acting upon the information, they are more reprehensible than the Senator from Texas. How could he owe allegiance to this Government? Then he must obey the orders of this Government in preference to those of his own State.

He was sworn to support the Constitution, and not the Government.

Hunter regarded this movement as calculated to be dangerous. The resolution proposed to censure a member for a mere expression of opinion. The Senator from Texas had done nothing more than declare his belief in the doctrine of Secession, and that his State had seceded, but that until he had the evidence of this he would sit here. With other State Rights men, he avowed that he owed obedience to the Constitution and laws, but not allegiance. All that he had said was, "as he believed a majority in all the Southern States who hold to the right of Secession, hold if right was exercised the State placed itself in foreign relation with the rest of the Union." If this was a cause for expulsion, why might not a Senator be expelled for other differences or declarations of opinion? How long might it be before it would be obnoxious to defend Slavery, and perhaps a two-thirds vote be obtained for upholding that institution? The power of expelling a member was never given for such purposes. Members could be punished according to the Constitution only for disorderly conduct, and, according to all writers on Parliamentary law, it is always to be exercised with great caution and care. If a man was to be punished for the expression of a mere abstract opinion, where was the usage to end? He maintained, as the Senator from Texas had expressed no opinion that had not been expressed by all the Senators of the Seceded States, if he was to be punished, then, they too must be expelled, for they have given a practical proof that they are foreigners, from the fact that they have gone off and established another Government. He agreed with his colleague (Mason) that they owe allegiance to their State, and only obedience to the Constitution.

Hunter's Endorsement of Mason.

We have given these arguments from their novelty, and as showing the peculiar *philosophy* of that "Southern idea" which sought to become the controlling power of a new Confederacy. How long would a confederation exist if the very first principle of confederation, *allegiance*, was spurned? The entire course of debate on the question of



Secession and revolution had not obtained more important admissions of *first principles* than came from these Southern leaders pending the discussion on Mr. Foster's resolution. Those who wish for light on "Southern" philosophy, should consult the *Globe* report of Mason and Hunter's speeches.

The resolution, on Tuesday, on motion of Simmons, of Rhode Island, was referred to the Judiciary Committee.

Interesting Resolutions.

On Wednesday two important resolutions were introduced. One by Mr.

Douglas, of inquiry in regard to the Southern forts, arsenals, military operations, &c., was as follows :

" *Resolved*, That the Secretary of War be requested to inform the Senate what forts, arsenals, navy-yards, and other public works within the limits of the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, are now within the actual possession and occupation of the United States, and by what number of men each is garrisoned and held, and whether reenforcements are necessary to retain the same; and if so, whether the Government has the power and means under existing laws to supply such reenforcements within such time as the exigencies and necessities of the case may demand, and whether the defence and protection of the United States and their interests make it necessary and wise to retain military possession of such forts, places, and other property, except at Key West and Tortugas, and to recapture and reoccupy such others as the United States have been deprived of by seizure or surrender for any other purpose, and with a view to any other end than the subjugation and occupation of those States which have assumed the right to secede from the Union, and within whose limits such forts and other public property are situated; and if such be the motives for recapturing and holding the forts and other public property, what military force, including regulars and volunteers, would be necessary to enable the United States to reduce the States aforesaid, and such others as are supposed to sympathize with them, to subjection and obedience to the laws of the Union, and to protect the Federal Capital."

The other resolution, offered by Mr. Fessenden, for the vacation of the seats of Southern Senators, was as follows :

" *Resolved*, That Messrs. Benjamin, of Louisiana; Brown and Davis, of Mississippi; Clay, of Alabama; Mallory, of Florida and Toombs, of Georgia, having announced that they are no longer members of the

Senate, their seats have become vacant, and the Secretary of the Senate is directed to strike their names from the roll of members."

Interesting Resolutions.

Both resolutions being objected to by Southern members, were laid over, to be called up on the succeeding day.

On Thursday Mason offered a resolution, calling on the Secretary of War to inform the Senate whether any portion of the District of Columbia Militia, or any officers thereof, since the 1st of January, have been mustered into the service of the United States, and whether any duty has been imposed on them by the War Department; if so, whether they have received any, and what pay and allowances, the nature of the duties, for what time employed, and whether the same still continues to be performed, &c.

This, being objected to, laid over, when Mr. Douglas called up his resolution of the previous day. Mr. Fessenden, however, objected to its consideration, on the ground that it was a matter on which the Senate could not act, as it required legislation, and they were here only as an Executive session. He therefore demanded the yeas and nays on the resolution.

Mr. Hunter hoped the resolution would be taken up. It interested very deeply the country, who want to know whether we are to have peace or war. He did not agree with the Senator from Maine, that the resolution was legislative in its character.

Mr. Clingman had prepared a resolution advising the President to make a treaty with the Seceded States relative to this very property. Whether this was proper or not, everybody admitted that the President and Senate are the treaty-making power, and that whatever they do in that capacity is final, without reference to the other House. He repeated, the true policy was for the President, by and with the advice and consent of the Senate, to make such a treaty.

Mr. Douglas thought the majority ought to permit his resolution to be taken up, in order that he (Douglas) might explain his object in offering it, which was for the best of purposes.

Mr. Mason said that the resolution called for information of very great moment, and



if the majority refused to take it up, the inference would be that they desired to suppress information affecting the question of peace or war.

Mr. Fessenden had his objections to the resolution. His opinion was, that it would be unwise to pass it; hence he could not withdraw his objection.

The question was taken, and the Senate refused to proceed to the consideration of the resolution by yeas 16, nays 24; all the Republicans voting in the negative.

Mr. Fessenden then called up his resolution declaring the seats of Southern Senators vacant. By a vote of twenty-six to thirteen, the Senate proceeded to its consideration, when Bayard, of Delaware, offered a substitute, viz.:

<p>Bayard's Substitute for Fessenden's Resolution.</p>	<p>"That Messrs. Albert G. Brown and Jefferson Davis, of Mississippi; Stephen R. Mallory, of Florida; Clement C. Clay, of Alabama; Robert Toombs, of Georgia; and Judah P. Benjamin, of Louisiana, having announced that, by the secession of their respective States, they were no longer members of the Senate, and withdrawn therefrom, the Secretary is directed to omit their names in calling the roll of the Senate."</p>
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In support of his resolution, Mr. Bayard denied that there had been any resignations. The persons named had *withdrawn*, because of the acts of secession of their States. As the majority of the Senate did not recognize the right of secession, it could not consider the gentlemen as legally or virtually out of their seats. Only their absence could be recognized, and the right to omit calling their names on the roll was all that could be exercised in the premises. He therefore assumed that the substitute was required.

Mason was perfectly satisfied the gentlemen named in the resolution were not members of the Senate, and therefore was perfectly willing to vote for a resolution endorsing the fact. He took it for granted that Mr. Fessenden meant no discourtesy by calling in the resolution for their names to be stricken from the roll. He suggested the substitution of the word "omit." The resolution implied that seats were vacant from those States. For this he could not vote.

Fessenden accepted the verbal modification as suggested, when Bayard again opposed the resolution on the points which he already had raised, and advocated his substitute. Fessenden replied at some length. He said a Senator can vacate his seat at pleasure; as to how or when he may do it, with or without assigning reasons, whether these be good or insufficient, is a matter of the Senator's own choice—his own act. He agreed with Mr. Bayard in the remark that, after being elected, the Senator had power over himself, and might continue a member or not, according to his will or pleasure, except so far as he might be operated on by this body itself. It was not necessary that the resignation should be in writing. It depended on *no* form or words. With the *reasons* of those gentlemen who have withdrawn he had nothing to do. If they were satisfactory to them, they were satisfactory to him. They have declared they are no longer members of the Senate; and, having so declared, have withdrawn from the Senate, and carried out their purpose to remain no longer. He regarded that as a resignation of their seats. He had simply declared this in his resolution, they having made the announcement and carried it into operation. The result was, their seats have become vacant, no others having been elected to take their places. The seats were vacant, and to be filled. He differed with the Senator from Delaware. The seats were still at the disposal of these States, to be filled whenever they thought proper to do so. He, therefore, held to the original resolution, which expresses the fact in proper phraseology, and was opposed to Mr. Bayard's substitute, because it only proposed to correct the roll.

The vote being had, Bayard's substitute was rejected—12 to 26. Clark (of New Hampshire) offered a substitute, which Fessenden accepted, viz.:

"Whereas, The seats occupied by Messrs. Brown and Davis, of Mississippi; Mallory, of Florida; Clay, of Alabama; Toombs, of Georgia; and Benjamin, of Louisiana, as members of the Senate, have become vacant: therefore:

"Resolved, That the Secretary be directed to omit their names respectively from the roll."

Fessenden's Reply to  
Bayard.



Mason proposed a gracious salutation for the "dear departed," by amending the resolution so as to make it include the words: "The gentlemen named have ceased to become members." The majority of the Senate were in doubt, apparently, as to the claim which the persons named had to the title of *gentle-men*, for the amendment of the Virginia Senator was rejected. Clark's substitute for the Fessenden Resolution was adopted—24 to 10. The seats of the seceded members were, therefore, finally declared vacated; the Senate had resented the long list of outrages upon its dignity by omitting the names of Toombs, Davis, Benjamin, and others of the arch-conspirators from its roll-call! Had the resolution read, "have become vacant through their disloyalty and treason," it would at least have proven the Senate to have possessed a consciousness that such a crime as treason had existence.

The Douglas Resolution of Inquiry.

Friday, Mr. Douglas called up his resolution regarding the southern forts, &c. [See page 37.] Its discussion consumed most of the day. Messrs. Douglas, Fessenden, and Wilson entered in the debate, which became quite personal, if not acrimonious. Clark moved an amendment to the resolution by omitting all after the words "United States," (seventh line.) Douglas refused the amendment, and proceeded to address the Senate at length. He deemed the information called for, if given, would quiet the mind of the country, now so deeply disturbed in apprehension of civil war. If the apprehensions were allowed to ripen into a conviction that the Administration meditated a war policy to reduce to subjection the Seceded States, a terrific issue would be precipitated in a shorter time than any one could anticipate. He conceived the policy of the President to be one of peace; and to demonstrate that such was his policy, the resolution would call out such information as would clear up any doubts entertained as to his purposes. If the answer was as he (Douglas) anticipated, it would quiet the country, and cause rejoicing throughout the land.

If, on the contrary, the policy was war, it was due to the people that they be informed, in order that they might see whither

the country was drifting, and might say whether or not they were to be plunged

Douglas on the Powers of the Executive.

into war without the sanction of Congress or their own consent. He then recurred to the want of power to collect the revenues off ship-board. By the laws of the land, the revenue must be collected *at* the ports of entry, and *in* the Custom-houses designated by special provision, and can only be collected elsewhere in specific cases specifically provided for in the law.

Mr. Douglas referred, at some length, to the law of 2d March, 1799, creating the three collective districts covering the coast of South Carolina, and proceeded to show that "ports of entry" were only so in the sense of a full compliance with the law which, in creating them, stipulated that the duties should be paid *at* the Custom-house—that the Collector should reside *at* the port, &c., &c. The exceptions to the requirements were only in cases where the vessel was ice-bound—in which event the goods were especially permitted to be landed otherwise than at the port of entry. That was the only exception.

The speaker took strong ground on the fact that the President could *not* order revenue-cutters to any harbor, that duties might be collected from their decks. He said:

"The law in this respect stands now just as it did when General Jackson, in 1832, called on Congress for *additional* legislation to enable him to collect revenue at the port of Charleston. Then General Jackson had no power to remove the Custom-house from the city of Charleston to ship-board in the harbor. He had no power to order the collection of revenue anywhere else than at the place designated by law as the port of entry. Congress passed the law known as the 'Force Bill,' March 2d, 1833, and the first and fifth sections, which gave authority to collect the revenue at any place *in* the

Douglas on the Powers of the Executive.

harbor, and the power to use military force, expired at the end of the next session of Congress by express limitation. \* \* Even if the 'Force Bill' were now in operation, it would not be possible to collect the revenue under it in the existing state of affairs, because the bill confined the right to collect the revenue *within* the port itself; whereas all the port is in possession of the Southern Confederacy, so that a ship cannot be anchored inside of the bar. \* \* What is true of Charleston in this respect is clearly correct of Savannah, Mobile, and New Orleans. \* \*



Douglas on the Powers of the Executive.

You cannot, and *dare not*, place a Collector of Customs at either of these places, until you *conquer* the city where your Collector is to reside."

He inferred, therefore, that there was no danger from a collision with the Confederate authorities, unless the President should violate the law, and also violate his oath of office by using force to do that which the law forbade him to do. He (Douglas) did not believe Mr. Lincoln was going to do any such thing.

Recurring to the question of blockade, he assumed that there was no more legal right to blockade the ports of Charleston or New Orleans than that of Chicago or Boston. The President *dare not* obstruct commerce at the ports of any city in the Seceded States any more than he does to obstruct the ports of loyal States, from want of power. He could only order revenue-cutters to overhaul a ship to see if her papers were correct, to guard against smuggling, where smuggling was suspected; but he could do no more. The law gave him no power to prevent a vessel with correct papers from going into any port—no power to collect duties from such vessel other than at the regular Custom-house of the District.

Mr. Douglas then proceeded to a review of the question of the enforcement of laws in the Seceded States, and assumed the position that the President could use neither the army or navy, except as prescribed by law. If there was an insurrection in any State against its laws and authorities, the President could only use the military to suppress the insurrection when called upon by the State authorities. He *cannot* interfere except when *requested*. If the insurrection existed against the laws of the United States, then the President could only use the military as a *posse comitatus* to aid the Marshal. The military could then only be used to aid in the execution of a writ properly issued by *civil* process. He cited the acts of 1795 and 1807 to show that his point was well taken—that the military power, whether of the navy, army, volunteers or militia—could only be used in aid of the civil authorities,—in this respect sustaining the position assumed by Attorney-General Black,[see pages 66–69,] upon which

Mr. Buchanan grounded his Message of December 4th, [see pages 55–62.] His entire argument was that of the Attorney-General. As the President had said, in his Inaugural, that he was not going to appoint judges marshals, &c., in the Seceded States, and as these were absolutely necessary for the enforcement of the laws, he could not conceive of any cause for apprehension, in that regard. He could only pursue a war policy by calling Congress together, and by having *it* clothe him with power and providing him with means.

This brought the speaker to the point: "Are we going to withhold the means or not?" He assumed not, and cited as his reason the fact that, notwithstanding the Republicans had the control for six weeks, in both Houses, they had conferred no power on the Executive for regaining possession of the property seized—had given him no power to blockade ports, nor to collect the revenues.

This called out Fessenden, between whom and Mr. Douglas some warm words passed. Mr. Douglas continued to press his point, charging that, in the several stages of proceedings in both Houses, the Republicans had shrunk from all resolutions empowering the Executive and Departments with power to enforce their abrogated authority. He cited cases where such laws could have been passed as had been proposed by individual members, for arraigning traitors, punishing offenders, suppressing insurrection, &c., &c.; but, the fact that the majority had *not* committed itself to a course of coercion, proved that it did not dare to encounter the responsibility of such a proceeding.

Mr. Douglas was evidently for recognizing the independence of the Confederate States. He said:

"We certainly cannot justify the holding of forts there, (in the South,) much less the recapturing of those that have been taken, unless we intend to reduce those States themselves into subjection. I take it for granted no man will deny the proposition that whoever permanently holds Charleston and South Carolina is entitled to the possession of Fort Sumter. Whoever permanently holds Pensacola and Florida is entitled to the possession of Fort Pickens. Whoever holds the States

Douglas for Southern Independence.



in whose limits those forts are placed is entitled to the forts themselves, unless there is something peculiar in the location of some particular fort that makes it important for us to hold it for the general defence of the *whole* country, its commerce and interests, instead of being useful only for the defence of a particular city or locality. It is true that Forts Taylor and Jefferson at Key West and Tortugas are so situated as to be essentially national, and therefore important to us without reference to our relations with the Seceded States. Not so with Moultrie, Johnson, Castle Pinckney, and Sumter, in Charleston harbor; not so with Pulaski, on Savannah River; not so with Morgan and other forts in Alabama; not so with those other forts that were intended to guard the entrance of a particular harbor for local defence. \* \* \* We have no use for the forts at the mouth of the Mississippi if we allow the Southern Confederacy to hold the State of Louisiana, and command both sides of the river. The forts there are very essential to us if we intend to conquer and reduce her people into subjection to our laws. \* \* \* We cannot deny that there is a Southern Confederacy, *de facto*, in existence, with its Capital at Montgomery. We may regret it. I regret it most profoundly, but I cannot deny the truth of the fact, painful and mortifying as it is."

His speech following these declarations was particularly severe on the Republicans. Its sentiment was to sustain the Government by such amendments to the Constitution as would satisfy the South, and thus to restore the Union. He deprecated war in the strongest terms as tending to render the disruption of the Union final and irremedial. He asked that Anderson should be withdrawn from Sumter, and that the Administration should, by word and deed, prove its policy to be one of peace, for which thirty millions of people would honor and glorify it.

Douglas was answered by Wilson and Fessenden, in a caustic and personal manner, to which he also replied with equal severity; and, for a while, the debate assumed a decidedly belligerent aspect. The Republicans assumed the position of Unionists. Wilson said:

"Ten days ago this Administration came into power. There was treason in Congress; treason in the army; treason in the navy; treason in the country. The President of the United States delivered a temperate, kind, genial, patriotic Inaugural Address. Hardly had that address been flashed over the country, before the Senator from

Illinois stepped forth, unasked, to give an interpretation of it. Nobody on this side of the Chamber has undertaken either to sanction or to disavow that interpretation. But the Senator from Illinois is not content to stand even upon his own interpretation of the Inaugural. He is not content that the President of the United States and his Cabinet, who have just taken possession of a Government and a country in ruins, shall have time enough to cast about them to see what principle and patriotism require them to do; but he rushes into this Chamber, and brings forward a resolution calling upon the Administration *at once* to declare to the country what it intends to do. The Senator struts before the Senate and the country, and talks about what *he* will not permit—what *he* will do. I beg leave to say to that Senator that, in the Senate and in the country, he is clothed with no power to dictate to us, or to any considerable body of men. He has not a Senate at his heels. He stands here quite alone; and he is hardly more powerful before the nation. I say to that Senator—and I want him and his friends to understand it—that the Administration which has just come into power will take its own time to deliberate, to act, to declare its policy; that it does not select *him* as its exponent; that it will speak in due and proper time its own sentiments, define its own policy, and will do it through those in whom it reposes confidence—those who have a right to speak for it."

The Massachusetts Senator furthermore characterized Mr. Douglas' speech as wicked, mischievous, and, in the then state of the country, as unpatriotic. He was an alarmist, when the best interests of the country required calmness, circumspection, and caution. The Republicans *were* silent, for they were bound to do nothing, to say nothing, which should prejudice the cause of the Union and the best interests of the common country.

Fessenden was equally severe on the Illinois Senator, whose speech-making propensities, he charged, were irrepressible. The President's Inaugural, the Republicans believed, *was* a peace-offering; and they were solicitous that the Administration should have an opportunity to develop its policy as events might demand. But, before the Presidential chair was warm, the Illinois representative had rushed forward, first to defend the chair, then to assail it with a demand for it to "show its hand." He had got up a controversy on his own speech, since nobody else seemed inclined to take it up. His purpose, Mr.

Fessenden  
vs.  
Douglas.



Fessenden  
vs.  
Douglas.

Fessenden declared to be "to inflame the suspicions of the people; to arouse their spirit and the anxieties which are now about being lulled to sleep, and which soon will be utterly destroyed and exterminated by the peaceful, yet firm, course of the Administration which they have chosen." He said:

"Why seek to inflame all these slumbering animosities at a moment when there is a prospect that we shall hear no more of them, and before the Administration which we have inaugurated has had time to tell the country, by a single act, what it meant to do? Why is it brought forward here in the shape in which it is, sir, there upon your table, in this resolution, at a mere Executive session of the Senate, when we have no power of legislation whatever—when nothing that we can do, nothing that we can say, nothing that is in our power, can have any potency for any purpose or for any object? Why does the Senator come in here with this resolution, placing himself and standing upon idle rumors which he picks up about the streets, upon communications in newspapers, upon nothing which the Administration has said, nothing which any Senator has said—assuming all—to charge that there is danger of this country being plunged into war, when, in the very same breath, too, he says that the President has declared for peace, and he believes he means it? \* \* \*

"We have done what we saw fit to do in relation to this matter. We have carried out our policy, so far as we had any, up to this point. We hope to develop hereafter what may be our policy with reference to the country, and that it may be successful. When the Senator assumes, and takes it for granted that we could have passed any bills during the last session, and talks about our power in this Senate up to the time when the last Congress adjourned, I will not say that he knew he was stating what was not true, but I will say that, if he had given himself a moment's time for reflection, he must have been aware that everybody around him knew what he stated was not true. There never was a day, during that Congress, from the beginning to the end, that we had the power to pass any bill against the will of the other side of the House. There never was a day when we had a majority in this Chamber. On some occasions we had the aid of the Senator from Illinois himself, and of some others of the other side; but we never had the power to pass any bill which the majority chose we should not pass, in any case."

The personalities indulged in by the parties created much excitement at the time. The matter ended in leaving Mr. Douglas in the position of a bitter opponent of the Ad-

ministration, and thus, indirectly, a strong partisan of the South. [The Senator lived long enough to see himself a firm supporter of the Administration; and the injunction from his dying lips, to "stand by the Constitution and the laws," proves how completely the partisan can be lost in the patriot in truly noble natures, when the soul has to stand forth in its nakedness and declare for the right or the wrong.]

Monday, the Douglas Resolution being under consideration, Mr. Breck-

Breckenridge on the Administration.

enridge addressed the Senate. His speech was clearly defined in its antagonism to Republican policy. It foreshadowed the extreme Southern direction of the Kentuckian's sympathies. He said that in the then distracted state of the country the Senate should not adjourn without expressing an opinion on the existing state of affairs, and giving some advice tending to allay public apprehension. Opinion seemed divided as to the meaning of the Inaugural. He was free to confess, and was gratified to do so, that its general expressions were for harmony and the prevention of bloodshed. But, the policy that the President said he deemed it his duty to pursue must result in bloodshed, unless essentially modified. The leading idea of the Inaugural, very clearly set forth, was, that the President did not recognize, in any sense, the existence of another Confederacy, but that he regarded all the proceedings and acts in the Seceding States as insurrectionary and revolutionary, and it was his purpose, to the extent of his power, to "enforce the laws" in all the States, including those which had withdrawn.

The inference was irresistible: to whatever extent force or invasion was necessary to collect the duties on imports, and to maintain the posts, and occupy the forts, it was his constitutional duty to employ it. It was true the President had qualified this declaration, by saying that the course indicated would be followed, "unless current events and experience should show a modification and change to be proper, and that, in every case and exigency, his best discretion would be exercised according to the circumstances actually existing, and with a view to the peaceful solution of national troubles and the



Breckenridge on the  
Administration.

restoration of fraternal sympathies and affections." He (Breckenridge) took this

qualification to mean he would not undertake to execute the laws, or to hold forts and other places within the withdrawing States, except where circumstances should show his ability to do so; and if he should not undertake to exercise those functions, because it would be irritating and make the hopes of a peaceful solution more doubtful, then his policy would be that which would prevent irritation and bloodshed. The President considered the duty to hold, possess, and occupy the forts, and collect the duties on imports, to be modified according to the necessities of the case which surrounded him; otherwise his policy would be simple and easy.

Looking at Fort Sumter, what were the reasons for its rumored evacuation? Not political, but military; not because, in the opinion of the Administration, a reenforcement of the fort would irritate the public mind and render conciliation and harmony doubtful, but because the military and naval power did not exist to penetrate to that point. Unless the purpose of the President was to use force only so far as was necessary, he would, if his object was purely one of conciliation, withdraw the troops for political and not military reasons. Then he thought he was justified in construing the Inaugural to mean that the President would hold the forts and other places within the Confederate States, and collect the duties on imports, to the extent of his power; and, if there was any modification, it would be because of his inability, and not because he would be willing to withdraw the troops for the purpose of producing conciliation and peace in the public mind.

The character of the Cabinet was not such as to indicate the belief that force would *not* be used. Every member except one was understood to be in favor of coercion if it became necessary to reduce the South to subjugation. The very organization of the Senate, and the opinion continually expressed by Republicans therein, showed that their purpose was to maintain the authority of the Federal Government over the withdrawn States by *force*, if necessary. In the forma-

tion of the Standing Committees there was scarcely a chairman of any one of

them whose known opinion was not in favor of this policy. The country should not be deceived. What was meant by peace and conciliation? How was it to be maintained? He desired it as sincerely as he desired the union of all the States. He had seen no measures of practical policy which tended to produce this result. We were in constant danger of collision and bloodshed. For the sake of the political and material interests of the country, the support of its credit and general prosperity, let us establish some leading principle. If the peace policy was not to prevail, let us get ready for the conflict. He argued that if blood be shed the last hope of preserving what was left of the Union was gone. His opinion was, that the Federal Government could not be restored on the principles which brought the dominant party into power. He said:

"Mr. President, for one I prefer the present Federal Government, administered in the spirit of the Constitution, to any other government on earth. I believe, thus administered, it is the best on the earth. I inherited, and all my life have cherished, an habitual and cordial attachment to a constitutional Union, and now would be willing, any day, to die for it. But, while I believe, administered according to the true principles of the Constitution, it is the best on earth, I also believe that, administered without the limitations of the Constitution, and, by the simple power of a sectional majority, it becomes the *worst on earth*; and, for myself, neither in public nor in private life, will I ever consent to sacrifice the principles of constitutional freedom, of municipal liberty, and of State equality, to the naked idea of Federal unity."

He further assumed that the Constitution had been perverted by the dominant party, and that the Union could only be preserved by an abrogation of its (Republican) first principles. His speech was as much a declaration of hostility to the Federal Government as any yet uttered, although his language was neither violent nor personally offensive. Its whole tone and tenor were that of a person in whose breast rankled the humiliation of political defeat. The declaration that the majority should be hurled from power, as the only means of preserving the Union, came with a bad grace from his lips, considering

Breckenridge on the  
Administration.



Breckenridge on the  
Administration.  
the Union.

its sequence, that his own  
election would have se-  
cured the perpetuity of

These speeches by Messrs. Douglas and Breckenridge—the opposing candidates for the Presidency—are so strongly characteristic of the two men as to merit attention for their indications of individual idiosyncrasy. The first, submitting with apparent grace to his defeat, outwardly took his successful rival by the hand, and became his champion ;

Douglas and Brecken-  
ridge.

but it was, unquestionably,  
a mere step of policy, that  
he might the more effec-

tually distract his adversary's administration. Douglas ever wished his country well; and he did not wish Mr. Lincoln ill: but his restless nature forbade him to accept any man's domination, while his extreme dislike of the Republicans led him to a course likely to *worry* them most, if not to thwart and defeat them.

Breckenridge, on the other hand, was so little inclined to submit to defeat, that the mere fact of an adversary's success sufficed to render his antagonism unappeasable. He was thoroughly *aristocratic* in thought and feeling—his “Southernism” amounted to a positive repudiation of the democratic principle, that the majority should rule. It should only rule *when* its views comported with his own, or with the special interests of his section. His spirit, carried into the counsels of a nation, would soon strip the populace of a right to rule. Douglas was extremely democratic in his sympathies, and took pride in being a *people's* exponent. Breckenridge, scorning the popular voice, was as arrogant in will as he was exclusive in sentiment. He was only democratic in order to *use* the people as his instrument; when they ceased to be such, he spurned them. He sought the favor of Northern Democrats by plot and counterplot, which proved him to be prolific in invention; but, he scorned association with them when it was discovered that, like good citizens and honest supporters of the Constitution, they quietly submitted to defeat to await victory in another struggle at the ballot-box. This repudiation of old associates did not add to their respect for their late

leader; on the contrary, when the tug of war came, they flew to arms, armed both with loyalty to the Government and with the bitterness of partisan mortification at the baseness of the uses to which they felt they had been designed by their Southern leaders.

Hale answered Breckenridge briefly, but pointedly. The only proof cited by the

Hale's Reply to  
Breckenridge.

Kentucky Senator, in his general charges of “unconstitutional designs” on the part of the party in power, was, that they had resolved to keep the South from the Territories with their slaves—thus refusing a constitutional recognition of the rights of property in slaves. To this point Mr. Hale addressed himself with telling force. He would like to know when the States of Virginia and Kentucky came into the Union, what was the law? Slavery was prohibited, not only by the States, but by a compact irrevocable, in every inch of Territory over which the Federal jurisdiction was exercised, and in 1789 the Federal flag did not wave over an inch of broad earth, outside of the limits of any State, where Slavery was not prohibited by a compact declared irrevocable! He then showed the wide expansion of Slavery over the Territories, and wished to know what more the South wanted? He was unable to understand the charge of Northern aggression, and attributed all the clamor to the circumstance that the “outs” were now in, and the “ins” out.

His peroration was particularly fine. We give a portion of it:

“Sir, I believe that this is the trial hour for this nation. I believe we are in a crisis. I believe that events of tremendous importance are hanging upon the result of the action that we are taking and shall take. If the lawless spirit which sets itself up in defiance of the behests and decrees of the popular will, pronounced in the constitutional form, is to prevail, and the spirit of discontent is to be scattered broadcast over the land, and the constitutional action of the chosen heads of the nation is to be disregarded from a spirit of fretful impatience; if every minority, as soon as it finds itself such, is to stand up dictating terms in advance to the majority, telling them “that *must* be so or we will go out of this Confederacy,” your experiment is at an end; your existence as a nation is a cheat: your history is a delusion; the example which you have set, instead of lighting



the pilgrims from despotism the world over, from their miseries, to a more perfect and enlightened government, has been an *ignis fatuus*—leading those who would strive for liberty to the most miserable failure that history ever has recorded. How old is this Government? Sir, there are men living to-day who can remember when your Declaration of Independence was first pronounced; there are ears into which first fell the sublime truths that were then pronounced to the world by the great apostle of liberty; and if we go on as gentlemen have threatened, if they dictate terms to the popular will and to the popular party, and stipulate that they are a *sine qua non* upon which their allegiance is to be rendered, it is all a failure; and though I would do as much as the Senator from Kentucky—as much as any living man would do; and if, for the preservation of the liberties of this country, the sacrifice of my poor life should be called for, I trust God would give me grace to lay myself down a victim on the altar of patriotism as readily as any man:—I say if *this* is to be the manner in which we are to be met, if *this* is the argument addressed to us, much as I love this country—much as I reverence the Constitution of the United States, I say to all such States as have seceded for the causes named, *go!* and, instead of asking one to return which has gone out, I would rather all others should go that are not willing to stay in the Union as our fathers made it, and to submit to the restraints of the Constitution as they intended it should be submitted to.

“Sir, we are a Union only in name if we are not willing to abide by this test. If we are not willing to submit to the requirements of the Constitution, perform *all* its duties, and when the popular voice says to those in power, “Come down and let others take your place;” if, instead of quietly surrendering the ensigns of power at the behest of the popular will, they choose to “let slip the dogs of war,” and appeal to force as the arbiter to decide our questions—then, sir, instead of having a Government of which to boast, we should hide our faces in shame.”

Tuesday, the Douglas resolution still being before the Senate, Clingman again adverted to the Inaugural. If the policy of the Administration be peace, why should it not be announced? Everybody knows that the country is suffering. Commerce is paralyzed, manufactures are depressed, stocks are down, and general distress prevails throughout the land. If, as the Senator from Illinois said, the President would announce that his policy *was* peace, it would

help us out of our difficulties; but if, on the other hand, a different policy be intended, he could well understand why the Administration would not proclaim it. He repeated, “It is the settled policy of those in power to involve us very soon in civil war.” Their silence was proof of this to his mind. No doubt orders have gone to the Mediterranean and other distant stations to bring home our ships. Why was this so if the policy of the Administration is peace? Why is there an immense armament at New York, larger than for the last twenty years, if they were to believe the newspapers and private correspondence? There could be no doubt that troops are being thrown into distant stations, and that a number of ships were taking in supplies. If the policy of the Administration is war, it would, of course, be concealed until there was readiness to strike. From information he had received within the last two or three days, there are reenforcements and heavy guns going South to take possession of the forts in North Carolina, Virginia, and elsewhere. If so, he should regard it as a purpose to make war. This word “war” was repeated over and over again, showing the North Carolina Senator to be thoroughly excited in his anxieties.

This speech called out Hale, Clark, and Grimes. The first said, in regard to any knowledge he had concerning the President’s policy, that he was utterly ignorant of what the Administration intended to do. He had not passed a word with members of the Cabinet. He had not put his eyes “on that great leading mind,” (Seward,) as the Senator called him. He presumed that the President had the courage to stem the storms assailing the ship of State. This was the reason why Mr. Lincoln had not gone outside the circle of his constitutional advisers. He sought no advice elsewhere.

Chandler, (of Mich.,) obtained the floor in answer to Breckenridge, who had used the word “bloodletting” in his speech of the previous day, saying it was the Michigan Senator’s doctrine. He (Chandler,) said he was not the author of the idea, or the doctrine—whichever it might be—but that it owed its paternity to a distinguished son of

Chandler vs. Breckenridge.



Virginia, Jefferson, who, in writing from Paris, said that "the people cannot always be well informed, and that the tree of liberty must be refreshed by the blood of patriots and tyrants." It was the natural manure. There was where he (Chandler) obtained the idea. The doctrine of the "higher law" and the "irrepressible conflict" was assigned to Mr. Seward, and the Senator from Illinois had said that Mr. Lincoln inaugurated the doctrine. If the Senator had read the Bible, he would have found the doctrine was not only held before Mr. Seward was born, but before the Mayflower crossed the Atlantic, and before the Saviour was born. It was illustrated in the history of Pharaoh and Moses, as he proceeded to show. The Senator from Kentucky had spoken for that and other States, and had argued to prove the propriety of abandoning the forts and of giving up attempts to enforce the laws, and had said that unless this was done Kentucky would go out of the Union. The people, on the 6th of November, had sat on this great issue and rendered a verdict. There were four Presidential candidates. The aggregate votes for Lincoln, Douglas, and Bell, were 3,814,217 votes, and in the platforms respectively of these parties there was a clear and emphatic declaration for the maintenance of the Union and the Constitution, and the enforcement of the laws. The fourth Presidential candidate was the Senator from Kentucky, with what the Senator from Illinois called "a disunion platform of a disunion party." He received 848,000 votes. This showed him that the platform was repudiated by three millions of voters. The Senator now proposed to reopen a question which has thus been settled, and to insert his platform, naked and simple, in the Constitution of the United States, notwithstanding the immense vote against him. It was too late. The thing cannot be done. The people have rendered their verdict. The question cannot be reopened. He believed that if the rattlesnake banner was raised in Kentucky, it would be hailed by but few supporters in that gallant State. Kentucky held too many loyal souls to be marshaled under a disloyal banner. He felt it to be *impossible* for her to be unfaithful to the Union.

Breckenridge briefly retorted to this severe *argumentum ad hominem*.

Simmons, (of Rhode Island,) offered an amendment to the Douglas Resolution, as follows:

Simmons' Resolutions.

"Strike out all after the word 'Resolved,' and insert, 'That the Committee on the Judiciary be instructed to make the following inquiries:

"*First*: If any State or States within the limits of the United States of America have changed or modified their laws respecting the oath required to be taken by the members of the Legislature thereof, to such an extent as to disqualify its members as electors of a Senator to the United States, according to the provisions of the Constitution?

"*Second*: If any Senator now claiming to be a member of the Senate has been elected by the Legislature of any State, the members whereof were thus disqualified?

"*Third*: What vacancies, if any, there are in the Senate which the Executive of any State has a constitutional right to make temporary appointments to fill?

"And that said Committee report the result of their inquiries to the Senate."

This was understood to be aimed at Clinman, who, it was said, had been elected by the Legislature which had refused to take the usual oath of allegiance to the United States Constitution.

This he supported in a short speech. He assumed that the Senate could act; that they should ascertain what States were competent to fill vacancies, either by the Legislative or Executive appointment, and whether any Senators have been elected by those who were *not* competent to vote for them. The Senator from Illinois had said he would give the Republicans some trouble, because he knew what their schemes were. Now, Simmons did not know that his brother Senators had any schemes. The Senator did not think it possible that the majority could perform their duty without some scheme. He then replied to some remarks which Mr. Clingman had incidentally made on the tariff question, and in response to a question by that gentleman, said he never dreamed that the non-payment of duties by the Confederate States would make any sensible difference.

Mr. Clingman—Will you let them go?



Mr. Simmons—They have gone without asking. I am not disposed to force them back. I presume they will be sick of their experiment within a year.

Mr. Clingman--That remains to be tested.

Mr. Simmons, resuming, said the country in six months would settle matters in spite of the restless politicians. He had no more idea that the Administration contemplated the invasion of State rights any more than he (Simmons) did. He believed this was getting to be well understood at the South, and hence new issues and threats were made, and new positions taken. Certain gentlemen are in a wonderful hurry to settle everything before it happens. We shall continue to collect the revenue as heretofore, or the States setting up for themselves will cease to have any business. He believed the President has as kind and pacific intentions towards those States as any President ever had. He believed, but for the agitation here and elsewhere, they would go about their every-day associations. Politicians, however, must be agitating. They never produce a dollar, and never will.

Wednesday, Bayard, of

Bayard's Speech.

Delaware, consumed the entire open session in a speech

of an elaborate character, covering the whole ground of the rights of States and the powers of the Federal Executive. His position was a "Southern" one, in most respects—going to prove the right of secession and the want of power for coercion. He quoted, at some length, from the Madison and Hamilton "Federalist" papers, and also from the writings of William Rawle, one of the ablest and most unbiased jurists Pennsylvania produced during the Revolutionary era. [Rawle, in 1825, published a volume of "Notes on the Constitution," wherein he assumed, in the broadest sense, the independence of the States and their right to withdraw, at any time, by a vote of their people, from the Federal Union, which he considered but a mere compact.] Mr. Bayard presumed that the President and Congress had the power, also, to treat in the matter of the cession and secession of the States, and therefore called upon the President to secure peace by settling upon terms for a reorganization of the

Republic. The Senator's speech was not concluded when the Senate went into Executive session.

The speech was resumed Thursday, and occupied all the open session of that day, and a portion of Friday. Its latter portion was devoted to an arraignment of the principles of the dominant party, and in favor of a recognition of the independence of the Southern Confederacy.

Friday, Howe, of Wisconsin, addressed the Senate on the Douglas Resolu-

Howe's Speech.

tion, opposing it, and dealing the Senators from Kentucky and Illinois some sturdy blows. The information asked, he thought a proper degree of self-respect should prevent the *Democratic* Senators from calling for, since it was under *their* rule and domination that the country was placed on the verge of destruction. We have now, he said, an Administration which has proclaimed a fixed purpose to maintain the authority of the United States, and not the authority of this or that section merely, by peaceful means, if peaceful means will suffice. This is the settled purpose, as he understood it, of the Administration. Was it not a purpose which demanded the best energies of every one? It seemed to him the Senator from Illinois was not furnishing the great aid he could have furnished with this view. Instead of helping to hold up the hands of the Government, that Senator was confronting the Government, not by arms and the application of force, but with objections that the Administration must stop here, then there, and must not undertake to collect the revenue, &c., and it seemed to him (Howe) this furnished aid to the enemies, and not to the friends of the country. He would admonish representatives that if another revolution is to be thrust upon us, we should take especial care that the future historian shall not be compelled to record that, with the friends of the United States, were found the semblance of the Cowboys of the Revolution. His (Howe's) party had done nothing to create the feverish apprehension alluded to by the Senator from Illinois. They were in no way responsible for it; they have no purpose to trample on a single right of any individual



in any portion of the country. The Senator from Illinois argued that the information asked was to allay excitement, but did not every such suggestion from so respectable a source tend more than all things else to increase and continue the excitement? To allay excitement, all should unite to tell the country they have no purpose to trample on any one's rights or constitutional privileges. As to Mr. Douglas' proposition to amend the Constitution, he objected to it for the admission it contained; namely, that fraternity can be maintained only by adopting certain amendments to the fundamental law. This is not the proper method of bringing about fraternity, for if approved only by a portion of the people of the Union, it would be disapproved by the remainder of them. A Constitution, to be satisfactory, must receive the assent of the whole country. We have got such a Constitution now. Why should not the people continue to be satisfied with it?

Mr. Howe's speech was concluded on Monday, Saturday being devoted to miscellaneous business and an Executive session. A very sharp controversy sprung up over the election of new officers of the floor—the Southern members resisting a change.

The last week of the extra session was rendered notable from the tilt between Messrs. Breckenridge and Douglas. These two men were mutually disinclined to fellowship. Entertaining ideas of polity quite at variance, they still had suffered the session to pass without any expressions to indicate the hostility existing between them. Douglas was, evidently, anxious to force his opponent to a confession of his real principles. That Breckenridge was disloyal to the Constitution all Senators well understood, and Douglas finally became so anxious to force the Kentuckian to the confessional—to unmask his treason, and thus to dispose of him forever as a Democratic leader—that, on Monday, (March 25th,) in the course of the debate with Howe, (of Wisconsin,) he referred to the Senator from Kentucky in such a manner as to compel that gentleman to take the floor, which he did on Tuesday.

Mr. Powell, on Monday, March 25th, introduced, by unanimous consent, the following resolution, which was agreed to:

*Resolved*, That the President be requested to communicate to the Senate, if not incompatible with the public interest, the dispatches from Major Anderson to the War Department during the time he has been in command of Fort Sumter."

Mr. Howe then resumed his speech of the previous Friday. He conceived the true design of the dominant party to be not to subjugate the revolutionary States, but to save them from subjugation. The Unionists of those States, he believed, were being ridden down by a reckless tyranny, from which they had a right to be relieved. The leaders were in insurrection against their own peace and order—were persecuting their own citizens, who were also citizens of the United States, and entitled to its protection. He adverted, at some length, to the exclusion of Slaves from the Territories, and demanded to know if such exclusion—the deliberate voice of the majority—could afford any reasonable ground for rebellion? The means did not justify the ends. The cause was too immaterial for the monstrous wrongs perpetrated against the Union, by the Seceders States, in the seizure of forts, arsenals, mints, &c.—the firing on the United States flag—the defiance of United States authority.

Mr. Howe called upon Mr. Douglas, if that Senator really wished to preserve the Union and to avert the calamities of civil war, to unite with the Republicans in the declaration that while they did not propose to make war they did not intend that war shall be made on the North. The country may be saved not by dissolving the Union, but by supporting it—not by abjuring the Constitution, but by taking a fast hold upon it. Did any State or section complain that injustice had been done them, or their rights denied? If so, let them go bravely before the people of the United States for redress, and not to those of any one State or section. To the victims of private wrong the Courts are open for relief, and to those of public wrong the Legislature are available.

In further reply to the Senator from Illinois, he showed the difficulties of procuring amendments to the Constitution, which the former had advocated as a remedy for existing troubles. He was alike opposed to the

Howe's Speech Concluded.



second proposition of Mr. Douglas, viz.: the recognition of the Seceded States; this, he argued, would not produce peace. As to the third proposition or alternative of that Senator—war, with a view to the subjection and military occupation of such States as have or may secede—the issue is made up between the loyal citizens and those who defy the authority of the United States. They had seen a new Government and a strange flag set up, and this had been brought about in a great measure by the aid of the Government of the United States. Our ministers, agents, or officers had put into the hands of those who were plotting against the Federal authority, treasure, arms, and means by which the triumph of the Disunionists had been achieved.

Douglas, thus personally appealed to, was constrained to reply. He defended his proposition for information. If the War Department possessed no information no harm could result from giving an open answer. Or, if the information which exists, already has been imparted to the Confederate States, and our enemies are in possession of it, there would be no harm in letting others have it. He apprehended the furnishing of this information would tend to allay public excitement. He supposed there was no danger as to Fort Sumter, as he understood the order had been given for its evacuation; the question he desired to get at was, whether Fort Pickens was to be held merely as a cause for irritation—as a thorn festering in the finger—producing disease. If it was not national but local in its character, it ought to be surrendered to those who hold the harbor; it ought *not* to be retained by the Federal Government, unless designed as a basis of operation against the Seceded States. He wanted to find out whether we are to have peace or war. He, however, believed the policy to be peace. The Senator from Wisconsin said his remarks were calculated to belittle the Administration; but he (Douglas) had only said that there is no *power* to collect the revenue, and blockade the ports of the Seceded States, and that the President *cannot* use the military force, excepting as aid of a *civil* authority; hence, the threat to do either of

these things without legal authority, was a threat to violate the Constitution and laws of the United States. Was it wise to delude the people into the belief that the Administration is going to do what the Constitution and laws do not permit?

Howe (interrupting) said the Senator, instead of summoning the representatives of the people to provide the necessary means for securing the revenues, summoned the Government to abandon the revenue.

Douglas replied, that he endeavored, during the last session, when the Republicans were rushing through a bill to destroy the revenue, to prevent it; but they would not listen to the warning, and he apprehended that there would be an extra session to undo a part of what was recklessly and unwisely done. The Senator from Wisconsin would not say that he (Douglas) was a Tory, but that his speech reminded him of it. Now, a man might be reminded of Tories by his antagonism to them, or by his own identity with them. He did not choose to say in what category the Senator from Wisconsin was. He had not the slightest apprehension the *people* of the country would regard him as an enemy of the country. This was an insinuation by the Senator from Wisconsin, rather than a direct assertion, for it seemed impossible for the Republicans to make speeches without impugning his motives or assailing his character. If he should die, he supposed that he should have a long train of mourners, because they would, by his decease, be deprived of material out of which they manufacture their speeches. The Senator from Wisconsin had opposed the amendments to the Constitution which he (Douglas) had proposed, with the view of insuring the safety and equality, and restoring peace, unity, and fraternity to the whole country. In his opinion, all who were opposed to amending the Constitution, were looking to a dissolution of the Union, either as a necessity which could not be avoided, or as a thing desirable in itself.

This called up Clark (of New Hampshire) who questioned the right of a Senator, to make such a statement in view of the

Douglas on the Defensive.

A Republican Dis-claimer.



overwhelming testimony offered by the Republicans of their entire and utter devotion to the Union in its integrity. They believed the best way to preserve the Union and save the country from the calamities of present and future insurrection, was to *stand by the Constitution*, so wisely framed by the founders of the Government—that amendments of it under compulsion would prove disastrous, unwise and wicked. Therefore, they opposed the amendments proposed, preferring to consider them when the revolutionists were again citizens, instead of men in arms against their country.

The running debate which followed, as briefly reported for the press, was as follows:

Douglas on the Re-  
publicans.

Douglas, in reply to Clark, said, no doubt the Senator from New Hampshire entertained the

opinion that, even if disunion was the result of a refusal to consider amendments, the Republicans would still refuse.

Clark said he could judge of amendments only when they were proposed; he should deprecate civil war as earnestly as the Senator from Illinois.

Douglas replied: Yet, when the question of war or amendment to the Constitution is proposed, he understood the Senator to be against all compromise.

Clark said distinctly, he believed they could stand on the Constitution better than anywhere else, and avoid war by taking that position. Propositions of compromise had demoralized the Union feeling; for, failing to get those, persons had become disunionists. In further response to Mr. Douglas, he said, the time is not far distant when the laws *will* be enforced all over the Union, without the use of bayonets.

Douglas—Still, nobody can deny that seven States have expelled the Federal authority.

Clark inquired whether the Post-office did not run the mails in those States yet?

Douglas believed it did, but with the leave and permission of those States. Those through whose hands the letters go might open or violate them, yet no punishment could be inflicted.

Clark—Suppose Congress shall clothe the President with the power to collect the revenue on ship-board? Could not this be done?

Douglas supposed it could, but he had been speaking of the laws as they are. He regarded this as an admission from the Republicans, that they do not mean to collect the revenue till the laws are changed.

Clark did not wish the Senator to take the admission as including anybody but himself.

Douglas thought the admission was so clear that he might include all the Republicans in it without offense. In the course of his remarks he said that the triumph of the Republicans had brought on disunion, and God only knew what consequences were to grow out of it.

Howe inquired whether he understood that the election of Mr. Lincoln, or somebody else, had caused a dissolution of the Union.

Douglas answered: If he had succeeded in defeating the Republican party, thereby rendering it certain that the policy of that party would not be carried into effect, the Southern people would have rested in security, and the Union would not have been dissolved.

Howe inquired, What policy?

Douglas replied: The *sectional policy*; because the Republicans make war on the institution of slavery as a great political and moral evil.

Howe denied that the Republicans are a sectional party. They were in favor of maintaining the authority of the whole people of the Union.

Douglas said that depended on what the Senator meant by the word "sections." The Republican party was based on hostility to slavery wherever it exists, (and, to the extent that where the Constitution does not prohibit, interference.)

Howe, in the course of the debate, wished to know, if the Douglas principles would have saved the Union, and the Republicans had adopted them, why there was not peace?

Douglas replied: Because the Republicans would not acknowledge it, and kept the people in the dark.

The reference, by Mr. Douglas, to the question of Slavery in the Territories, which called out the Kentucky Senator, was as follows:

"From the beginning of this Government down to 1859, *Douglas vs Breckenridge.* slavery was prohibited by Congress, in some portion of the Territories of the United States. But now, for the first time in the history of this Government, *there is no foot of ground in America where slavery is prohibited by act of Congress.* You, of the other side of the Chamber, by the unanimous vote of every Republican in this body, and of every Republican in the House of Representatives, have organized all the Territories of the United States on the principle of non-intervention, by Congress, with the question of slavery—leaving the people to do as they please, subject only to the limitations of the Constitution. Hence, I think the Senator from Kentucky fell into a gross error of fact as well as of law when he said, the other day, that you had not abated one jot of your creed—that you had not abandoned



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your aggressive policy in the Territories, and that you were now pursuing the policy of *ex-*

*cluding* the Southern people from all the Territories of the United States. \* \* \* \* There never has been a time since the Government was founded, when the right of the Slaveholders to emigrate to the Territories, to carry with them their Slaves, and to *hold* them on an equal footing with all other 'property,' *was as fully and distinctly recognized in all the Territories as at this time, and that, too, by the unanimous vote of the Republican party in both Houses of Congress.*

"The Senator from Kentucky has told you that the Southern States, still in the Union, will never be satisfied to remain in it unless they get terms that will give them either a right, in common with all the other States, to emigrate into the Territories, or that will secure to them their rights in the Territories on the principle of an equitable division. These are the *only* terms on which, as he says, those Southern States now in the Union will consent to remain. I wish to call the attention of that distinguished Senator to the fact that, under the law *as it now stands*, the South has all the rights which he claims. First, Southern men *have* the *right* to emigrate into all the Territories, and to carry their Slave property with them, on an equality with the citizens of the other States. Secondly, they *have* an equitable partition of the Territories assigned by law, viz.: *all Slave territory up to the thirty-seventh degree, instead of up to the parallel of thirty-six degrees thirty minutes—a half-degree more than they claim.*

"The Senator was, therefore, mistaken, both in law and fact, in supposing that the South has been excluded. He will not say that the Kansas-Nebraska bill excluded the South; he will not say that the Compromise measures of 1850 excluded them; nor can he say that the Territorial bills passed this year exclude them; for they are all on the same basis, so far as the question of Slavery in the Territories is concerned. \* \* \* Under the laws as they *now* stand, in every Territory of the United States, without any exception, a Southern man can go with his Slave property on equal terms with other property. All persons and all property go into the Territories of the United States subject to the *local* law. Congress has nothing to do with local legislation for the protection of persons and property in the Territories. All that Congress does is to organize the Territory, define the jurisdiction of the Territorial government, allow the people to elect a Legislature, and to make laws for the protection of their own persons and property. Congress has never yet passed a law to protect cattle, horses, or merchandise in the Territories; Congress has never yet

passed a law to protect Slave property in a Territory; Congress has never passed a law to protect any kind of property whatever, in a Territory. \* \* Hence, every man, either from the North or South, may go into the Territories with his property on terms of exact equality, subject only to local laws; and Slave property stands on an equal footing with all other kinds of property in the Territories of the United States. \* \* \* \* \*

"Instead, therefore, of not having either of the terms prescribed by the Senator from Kentucky, the Southern States have them both. What cause is there of complaint? In view of these facts, I shall expect the Senator from Kentucky to go back to his native State, and, in that language of brilliant oratory which I cannot repeat, from every hill-top, in every valley, upon every smiling plain, rejoice that old Kentucky has at last got 'justice and equality' in the Territories of the Union. So far as legislation is concerned, the Southern States have got all they ever asked."

Breckenridge replied, on Tuesday, to this section of Mr. Douglas' well-argued

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speech. Recurring to the history of the Kansas bill, and his participation in its passage, he said he had voted for it in the House of Representatives, and defended its principles as they were understood by Southern gentlemen, and a respectable number in the Northern States. The friends of the measure differed on one point—it was the question of Territorial power. He did the Senator from Illinois the justice to say that the latter had uniformly held that a Territorial Legislature, during the Territorial condition, had the power to exclude Slavery. He (Breckenridge) entertained a different opinion. Failing to agree on that point, the friends of the bill agreed to make it the subject of a judicial decision, and not of legislative determination. If any principles were settled, he (Breckenridge) understood them to be these: *first*, that a Territorial question should be in submission to the Constitution of the United States; *second*, that the subject of Slavery was to be determined by a *judicial decision*; and *third*, that all should acquiesce in the decision when rendered. In his (Breckenridge's) opinion, a decision was rendered in accordance with his views. All that he meant to declare was, that while he was the friend of the Kansas bill, he never



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held to the authority and power of a Territorial Legislature, pending the Territorial condition, to exclude property in Slaves.

The Senator from Illinois had committed a great error in saying the Republicans had ever abandoned any of their essential principles. Was it not strange that the Senator alone was aware of such an important fact? Were Virginia and the obstinate Confederate States aware of this fact? and, he might ask, were the Republicans aware of it? It was glorious if it was true; would that it were so! No man would hail it with more delight than himself. What was the evidence of this great conversion? Some weeks ago the Territories of Nevada, Colorado and Dacotah were organized by Congress without saying anything in regard to African Slavery. There was nothing in this to show that the Republicans have abandoned the "essential principles" of their party. They did not possess the power to put anti-Slavery professions into these bills. It was said by Republicans that they have no risk in the omission. If they had supplied it, the President could have vetoed the bills. The Republicans were only anxious to have the Territories organized, that they might have a share of the government property, and make appointments of officers, etc., and this was heralded to the world to show that the Republicans have perfected principles of patriotism and abandoned their "essential principles," and that the South have obtained more than they ever asked for. He would ask the Republicans here, whether they have abandoned any of the distinctive principles of their platform?

Collamer, of Vermont, answered the query: "Not that we are aware of."

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Breckenridge said he would be no party to deceiving his constituents.

There was no Republican who would say that his party had given up one word of the platform on which the present Administration was brought into power. He could have no part in practicing a deception on the people of Kentucky. To say that the South had got more than it claimed, is premature and

calculated to mislead. It seemed to him that the Republican party was hardening and consolidating every day, and one of the calamities of the time was its arraying itself in solid phalanx on its distinctive principles in the face of tremendous events. If it gives up a fort it does so with tears, and declares that it is done not for civil but for "military reasons." For the government, the most radical and aggressive men have been selected. For the Cabinet, for foreign missions, for Senators and other officers, the most radical men have been chosen. The Senate had been confirming every day men who have trampled the Constitution under their feet, and refused to recognize the obligation to return fugitives from labor—men who have boasted, on the floor of the House of Representatives and elsewhere, that they had been personally concerned in running off Slaves. This evidence looks in any other direction than that of yielding any of the aggressive or distinctive features of the Republican party. This is the cause which had sundered this Confederacy and if not remedied would sunder it still more.

He charged that it was the purpose and design of the Republican organization to exclude, directly or indirectly, from every Territory, every citizen of every Southern State who desired to carry with him there his Slave property. In other words, the Republican do not intend that Slave property shall be recognized in any Territory of the United States. These are the principles of the Republican party, and unless the people drive them from power they will carry their principles into execution. We have been looking since the 4th of March on a disrupted Confederacy. While seven States have been consolidating their power, and have been looking at the discontents in other States those of the border had been earnestly endeavoring to bring about a reunion of the States. Yet, he deeply regretted to say, he had seen no evidence on the Republican side to meet these endeavors half-way. The Border Slave States cannot reunite this Confederacy. The majority of the non-Slave holding States alone have the power to do so, and he expressed the opinion with grief but with a firm conviction, that, unless with



in a short time the Republicans manifest a spirit to give the "equality" which the Border Slave States claim, the question will be solved in one of these ways: we may drift into civil strife, if the people are allowed no opportunity to speak; if we have not civil strife, then a peaceful separation by treaty. If the Republican statesmen and their friends remain firm, rigid, and determined, there can be no other result than to drive the Border Slave States into a union with the Confederate States, in the belief that the government represents the true principles of the old Federal system. If the Border Slave States hold a Convention, which seemed probable, and the people of the non-Slaveholding States deem it their duty to reject such propositions as may be essential, then, the disruption of the Union will be inevitable to the extent of fifteen States, and at no distant day the new Confederacy will be the largest on this continent.

To this Mr. Douglas answered, evidently with the

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design of forcing his old

antagonist to the direct question of Union or Disunion. He repeated his former points, and reaffirmed that the Slave-holding States had *no complaint to make*. They have got their just proportion and just rights in all the Territories of the United States. He could not conceal his surprise that the Senator from Kentucky denied all the positions he had assumed. The Senator, after saying that, if the Border Slave States could not get one of the propositions laid down by him, and having insisted that there was no hope in this particular, remarked "that Kentucky, from mountain peak to mountain peak, and from every valley and smiling plain, would ring forth the cry of justice and equality." His (Douglas') object was to demonstrate that there was no cause for such action, and that Kentucky *had* justice and equality in the Territories, according to the tests prescribed by the Senator himself, and that there is an equitable division on the line of thirty-seven, a half-degree further North than Mr. Crittenden's proposition claimed. The Senator from Kentucky had not attempted to disprove this. He was too prudent to make the attempt. He knew the Territories

of Colorado, Nevada, and Dacotah had been organized on the basis of the

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Kansas-Nebraska bill. All those Territories were organized on the principle of non-intervention by Congress, leaving the people to decide the Slavery question as they pleased, subject only to the limitation of the Constitution, and leaving the courts to ascertain what the limitation is. This is all the South have ever asked. The Republicans have abandoned the Wilmot proviso and congressional intervention, and repudiate congressional prohibition of Slavery. The Senator would not deny *that*. He did not ask the Senator from Kentucky to say that the Republicans have abandoned *all* their essential principles. He did not ask him to do anything to promote their interests. He (Douglas) did not believe in the political creed of that party, and did not believe that the best interests of the country would be promoted by the exercise of their power; still, he preferred the Union under a Republican Administration to none at all. Inasmuch as it was true that they have recognized the rights of the South in the Territories, and have not attempted to repeal the Slave code of New Mexico, this fact should be proclaimed by every loyal Union man. He demanded that every fact and truth that could be uttered, should be uttered by every man to allay sectional strife, to calm the irritation in the Slaveholding States, and to restore reason in order that we may hereafter succeed in securing such constitutional guarantees as shall prevent civil strife, and restore the Union. He then proceeded to show from the Inaugural that Mr. Lincoln acknowledged the duty of Federal protection to Slave property, that it was the duty of Congress to pass laws affording such protection, and that it is the duty of the Federal officers to execute the laws. Hence, the Senator from Kentucky mistook when he said that there was no instance in which Federal protection would not be afforded.

Breckenridge, being thus pointedly assailed, again took the floor for reply.

Breckenridge's Retort

He reiterated that he had seen no evidence of the Republicans having abandoned their



Breckenridge's Retort.

principles. The Senator—who by turns had been the eulogist and denouncer of the Republicans—said they had acted in a spirit of patriotic devotion to the whole country, and desired to give equal rights to all the States; that they had particularly abandoned their principles as to Slavery in the Territories. He would not charge the Senator with the purpose to misrepresent him, but that Senator called attention to two paragraphs in his (Breckenridge's) speech. He said that he (Breckenridge) had declared that the Border Slave States could not remain in the Union except on equal terms, or without an equitable division, and that the South had no right to believe that they would receive the protection and recognition they ask. Now, the inference to be drawn from this was, that he (Breckenridge) was in favor of precipitating Kentucky out of the Union. The Senator from Illinois had given a slight twist to his language. He (Breckenridge) did say, on more than one occasion, that the dominant party had manifested, by the acts of their representatives, that they will not abolish Slavery in the States; that, as equal States, they could not remain in the Union when the property of all of them was not to be recognized or protected.

The Union was broken already, and, unless some energetic, manly efforts were made to settle the question on broad national principles, the Union will be broken still further. It could not be saved by persuading the people that the Republicans have abandoned the principles to which they still adhere. Such a declaration was calculated to produce apprehension and injurious effect. President Lincoln recognizes a qualified property in Slave labor within the Slave States; but, at the same time, he, in his Inaugural, recognizes the enunciation of the Chicago Platform, that the normal condition of all the Territories is freedom, &c. This is the conviction and principle of the majority on this floor, as well as of the President himself and his party. Was it not, therefore, belittling to say that the Republicans have abandoned their essential principles, when all their machinery is leveled against Slavery? He would be glad to see the Republicans driven

from power, in order that these questions might be adjusted on constitutional principles.

Douglas retorted saying, that, although Breckenridge would not go back and tell his constituents that the people of the Slave States stood in a better position than ever, as regarded their rights in the Territories, the fact still remained as he (Douglas) had stated it, and the desire of his heart was that the people of Kentucky, and of every State in the Union, should be made aware of it. He, too, desired to put the Republican party out of power, but he would not foster unkind feelings in the South for party purposes. He would tell the truth about the Republican party, even if it operated to their credit.

Breckenridge suggested that Douglas now ask the Republicans here the reason for omitting, in the Territorial bills, any allusion to, or prohibition of, Slavery. Douglas answered that, as already stated by himself, they had so acted from patriotic considerations to prevent a further disruption of the Union. He wanted to crush down every Disunionist in Kentucky. He wanted to strengthen his (Breckenridge's) hands. The Senator had told them of his devotion to the Union, and he (Douglas) wanted to save the country and the valuable services of the Senator from Kentucky for the next six years. And, he repeated, that he wanted to strengthen his hands and the hands of every other man, and to show that Kentucky is safe, even under a Republican Administration, and to put down secession in every other State of the Union.

The yeas and nays were finally called on a motion to lay the Douglas resolution of inquiry on the table. It resulted in yeas 23, nays 11. So the resolution was tabled. Breckenridge then asked leave to offer the following:

“Resolved, That the Senate recommend and advise the removal of the United States troops from the limits of the Confederate States.”

Sundry Significant Resolves.

Clingman had also prepared one, covering the same ground, which he offered, viz.:

“Resolved, That, in the opinion of the Senate, it is expedient that the President withdraw all Federal troops from the States of South Carolina, Georgia,



Florida, Alabama, Mississippi, Texas, and Louisiana, and abstain from all attempts to collect revenues in these States."

Both resolutions were laid over, to be debated the day following. The wish to adjourn made many Senators unwilling to consider the resolutions at length, fearing a protracted debate on the question of advising and directing the President.

On Thursday (March 28th) Trumbull, of Illinois, introduced a resolution declaring that, in the opinion of the Senate, the true way to preserve the Union is to enforce the laws of the Union; that resistance to their

enforcement, whether under the name of anti-coercion or any other name, is disunion; and that it is the duty of the President to use all the means in his power to hold and protect the public property of the United States, and enforce the laws thereof, as well in the States of South Carolina, Georgia, Florida, Mississippi, Alabama, Louisiana, and Texas, as within the other States of the Union.

This was briefly discussed, but the desire to adjourn overrode this and the other resolutions introduced. The Senate adjourned *sine die* at four o'clock.

## CHAPTER VI.

LINCOLN'S CABINET ON THE EVACUATION OF FORT SUMTER. THE PRESIDENT'S COURSE. CONDITION OF FORT PICKENS. LINCOLN'S MESSENGERS TO FORT SUMTER. STATE OF PUBLIC FEELING. THE "AMERICAN SOCIETY FOR PROMOTING NATIONAL UNITY." SOUTHERN CONTEMPT OF NORTHERN MEN. A SPECIMEN OF DISUNION FALSEHOOD. ITS MORAL.

Cabinet discussion of  
the question of  
Evacuation.

The news from Washington, March 14th, was calculated to excite profound

interest. A dispatch stated: "Two sessions of the Cabinet have been held upon the final determination concerning Fort Sumter. The first met at 10 o'clock and adjourned at 1, and reconvened at 4 and adjourned at 7. It is well understood that there is a decided difference of opinion among the members on this question, which first found expression at the conference on Saturday night, when the military reports, advising the withdrawal, were submitted. That difference was emphasized to day in very positive terms, and led to a protracted discussion. While members of the Cabinet disagree as to this policy, and have done so since the proposi-

tion was first presented, they agree as to the stern necessity which is urged as the only justification for a recourse which, in the best aspect, seems to involve a certain degree of national humiliation. The unity of the Cabinet, however, will not be affected by the opposing views on this subject, which has now assumed a shape that admits of but one solution, for which General Scott and his military associates are wholly responsible. Nothing remains now to be done after these concluding deliberations, but to issue the formal orders, which have been approved by the highest authority. The particular mode of withdrawing Major Anderson's force has yet to be determined. General Scott's inclination, two days ago, was to send them to New York by steamer, which would save the necessity of



passing through Charleston. That purpose may, however, be changed before the last order is given. No messenger has yet been sent to Major Anderson in regard to this matter, as the newspapers have reported. He has, however, been prepared for a decisive communication from the War Department, since he made a detailed report last week, showing the limited stock of supplies in Fort Sumter."

This states the condition of the question of evacuation, so far as related to the discussions within the Cabinet. The withdrawal of the garrison having been determined upon, as a "military necessity," it seemingly only remained for the President to permit the dispatch of the order for evacuation to be sent to consummate the step declared necessary. The public in the Northern States became reconciled to the decision, so far as its intense feeling would permit. Still, there were not wanting many who regarded the surrender

Opposition to an  
Evacuation.

of the post, under menace, not only as a national humiliation, but as a positive confession of the weakness of the Government. By this class the evacuation was pronounced a virtual surrender to revolution. In the Senate the decision found several most uncompromising opponents—among them Wade, of Ohio, Wilson, of Massachusetts, and Trumbull, of Illinois—all of whom freely expressed their opposition to the withdrawal of Major Anderson. Whatever may have been their influence with the President, if any, it is certain that the Executive did not accede to the "military necessity," for days grew into weeks, and yet the missive of humiliation did not go forth.

The President's De-  
liberation.

In this instance, and in others of eminent and vital importance, the President showed a quiet and cautious independence of judgment which rendered it certain that the Chief Magistrate was one of those men having both a will and a way of his own. Solicitous for the opinions of those best qualified to give advice, patient in obtaining information, watchful of the currents of public feeling, Mr. Lincoln was slow in forming his judgment; but, when once the way seemed clear, he did not hesitate to "assume the re-

sponsibility" even though the course pursued was not in consen-  
sance with that advised by his Cabinet or expected by the public. The Sumter complication illustrated this self-reliance, in a remarkable manner. When the country had, apparently, made up its mind to see the beleaguered band of loyalists march out of the fastness which kept the sacrilegious horde of Union-breakers at bay, the President was silent. Day and night the deed was present to his mind; and slowly, as the biscuits and meat of the garrison provision-chest grew low day by day, the thought took form which was to give him the hearts and hands of a united people in exchange for the loss of that fastness, at once the Key to Charleston and the portal of hope to the lover of his country.

Whatever was to be the fortune of Sumter, it became apparent that the remaining forts in possession of the General Government were to be retained, at all hazards. The statements made by Senator Clingman, in the debate on the message, that warlike preparations were going on at the Navy Yard, were not without foundation. Several vessels, as early as March 10th, had passed South to reinforce those fortifications still in the hands of the Government troops. Sumter alone seemed left to its solitary fate. Pickens, under command of Lieutenant

Condition of Fort  
Pickens.

Slemmer, was rapidly approaching a state of efficiency for action. That gallant officer had, by his loyalty, saved the fortress from the hands of the revolutionists. When those in command at the Navy Yard were rejoicing over the hauling down of the Stars and Stripes, he had hastily evacuated Fort McRae, and, passing over to Pickens, there resolved to resist the conspirators to the last. His conduct stands out in satisfactory contrast to that of Commander Farrand, and Lieutenant Renshaw. After the occupancy of Pickens, the little force at his command were put to the severest labor in rendering the fortress tenable. In this he was assisted by marines from the vessels-of-war lying off in the harbor. By March 15th the fort was deemed capable of resisting the assault then hourly threatened by General Bragg, the Confederate commander, who, for weeks, had been making extensive prepara-



Condition of Fort  
Pickens.

tions for forcing Slemmer out of the Santa Rosa fortress. It was reported from

Washington, March 16th, that the fort was invested by thirteen full batteries, including Forts McRae and Barrancas, which commanded not only Pickens but the offing. At that date the steam corvette *Brooklyn*, and the sailing frigate *Sabine*, were lying off the port with reinforcements on board. No attempts were made to land the troops, however, since the rebel commander threatened to open fire on the vessels and on Pickens, if the reinforcement was attempted. But, the nightly mission of small boats which put off, with muffled oars, to the outside of Santa Rosa island, gave the brave Lieutenant good cheer and helping hands, and when the middle of the month had passed, the fortress was prepared for the threatened bombardment. Beside the *Brooklyn* and *Sabine*, the *Wyandotte* and several sloops-of-war were understood to be present, prepared to render effective service. This powerful array undoubtedly prevented the assault; and the three thousand Confederates, with "souls on fire for the fray," all under command of a redoubtable officer, were compelled to witness the old flag's morning salute, without the power to banish it from their sight. The presence of a strong naval force at that point, with reinforcements, was one of the acts which marked the brief term of Secretary Holt's service. To his orders, to that disposition of the vessels-of-war, as well as to Slemmer's efficiency, does the country owe the salvation of Pickens,\* and the retention

of the important positions at Key West and the Tortugas. [See vol. I. page 368.]

Several messengers from the Federal authorities to Fort Sumter appeared in

Messengers to  
Fort Sumter.

Charleston during the middle and latter part of March. Surgeon Fox, of the United States Navy, was dispatched by Mr. Lincoln, and passed over to Sumter, "by special permission of the South Carolina authorities," to inspect the sanitary condition of the fort, as well as to confer privately with Major Anderson; but the attendance of Captain Hartstene prevented the desired private conference.

Colonel G. W. Lay, of General Scott's staff, appeared at Charleston March 20th, and had a long interview with Governor Pickens and General Beauregard, understood to be in reference to terms of evacuation, and the disposition of the armament of the fort, should the Federal Government order the surrender of the fortress.

March 25th, Colonel Lamon, as a special messenger of the President, arrived in Charleston. After an interview with the authorities, he passed over to the fort. His visit was announced as one of "pacification." He had an unrestricted interview with Major Anderson, whom he found in good spirits, and with provisions enough to hold out to April 15th. He returned to Washington

the Southern States! The North had the heavy guns, the light arms, the powder and ball, just as the North had everything else that belonged to the common Government. How quietly were men shifted from our soil who might have been here to-day to murder us at Abraham Lincoln's order. How slender the garrisons became in Southern forts which were made for us, and belong to nobody else, but which a savage enemy now chafes and rages to get possession of! Who sent 37,000 stand of arms to Georgia? How came 60,000 more prime death-dealing rifles at Jackson, Miss.? And, in short, why have we anything at all in the South to mail the strong hands of the sons of the South with at this hour, when every heart, and head, and arm of her children is needed in her defense? Truth demands it of us to declare that we owe to John B. Floyd an eternal tribute of gratitude for all this. Had he been less the patriot than he was, we might now have been disarmed and at the mercy of a nation of cut-throats and plunderers."

\*The service which his predecessor, John B. Floyd, rendered to the cause of disunion and treason, was thus set forth by the Atlanta (Geo.) *Confederacy*, of March 16th.:

"But for the foresight, and firmness, and patriotic providence of John B. Floyd, in what stress and peril would the Cotton States be floundering this day! He saw the inevitable doom of the Union, or the doom of his own people. For many months past, from his stand-point, he had an extended field of vision, which enabled him to see the great danger which threatened us, but which was hid below the horizon from the eyes of most of us. When his faithful loyalty to his own persecuted people began its labors in our defense, in what a condition were



March 26th, reporting unfavorably to reinforcements. All the schemes devised for throwing supplies into the beleaguered fortress Mr. Lamon reported to be impracticable—an opinion which Major Anderson, also, was understood to entertain.

The several reports of these messengers seemed to leave no alternative but the withdrawal of the little band from Charleston. The order for evacuation was hourly looked for by the country, as well as by Anderson himself. But, the days wore into weeks, and that order was not given. The interest in the garrison became hourly more painful. The crisis was approaching. The national pulse seemed to stand still for the word that was to declare the fate of the Republic.

As showing something of the spirit of a very large and influential class of citizens of the North, at this juncture, we may mention the existence of a Society organized in New York under the presidency of Prof. Samuel

A "Conservative"  
Organization.

F. B. Morse. It represented the commercial interests more particularly—among its chief corporators being found the names of several eminent merchants, while the *New York Journal of Commerce* became its "organ." The society was called the "American Society for promoting National Unity." It held its first session in New York, March 6th, and put forth its plea in a "programme," which was a singular commixture of religion, politics and commerce—all directed against "Abolitionism," the great prime demoralizer and disorganizer. We may quote from this document as one of those "signs of the times" which indicated how cleverly commerce and religion could hob-nob with Satan, when he threatened to disturb their quiet and their profits:

"We believe that the time has come when such evil teachings (abolitionism) should be firmly and boldly confronted, not by the antagonisms of doubtful and perishable weapons, but 'by the Word of God, which liveth and abideth forever,' as expounded by a broad and faithful recognition of his moral and providential government over the world. It is with this view that we propose an organized effort, &c., &c.

"Our attention will not be confined to Slavery,

but this will be, at present, our main topic. Four millions of immortal beings, incapable of self-care and indisposed to industry and foresight, are providentially committed to the hands of our Southern friends. This stupendous trust they cannot put from them if they would. Emancipation, were it possible, would be rebellion against Providence, and destruction to the colored race in our land. We and the North rid ourselves of no responsibility by assuming an attitude of hostility to Slavery, and thus sundering the bonds of State fellowship; we only put it out of our power to do the good which both humanity and religion demand; should we not rather recognize the Providence of God, in his placing such a vast multitude of the degraded and dependent sons of Africa in this favored land, and cheerfully co-operate, by all needful labors and sacrifices, with His benevolent design to save, and not to destroy them? Under a Providential dispensation, lifting them up from the degradation and miseries of idleness and vice, and exacting of them due and needful labor, they can certainly be trained and nurtured, as many have been, for the services and joys of heaven; and if the climate and institutions of the South are such that our fellow-citizens there can afford to take the onerous care of them, in return for their services, should we not gladly consent? They freely concede to us our conscientious convictions, our rights, and all our privileges; should we not as freely concede to them theirs? Why should we contend? Why paralyze business, turn thousands of the industrious and worthy poor out of employment, sunder the last ties of affection that can bind these States together, destroy our once prosperous and happy nation, and perhaps send multitudes to premature graves—and all for what? Is not such a course a struggle of arrogant assumption against the Providence of the Most High? and, if persisted in, will it not surely bring down his heavy and prolonged judgments upon us?"

This religio-commercial enterprise did not, we may state, attract any particular attention, although strongly indorsed and sustained by that powerful organ of the Presbyterian (Old School) denomination, the *New York Observer*. The great tide of public feeling was sweeping insensibly onward against the old barriers where property and man was intrenched; and those subservient servants who ordained the "American Society for promoting National Unity," by fighting the battles of the propagandists with Scriptural weapons, daily became less potent. We advert to the organization simply as one of the last religious efforts to



"cement the Union" by hurling anathemas against the Anti-Slavery sentiment of the North.

Southern Contempt  
for the Yankees.

It is here worthy of remark, that the South, while it virtually held in sub-

jection a large class of citizens in the North, still despised them, as the British used Arnold, and paid him gold for his treason, yet despised the creature even to forbidding his presence. The epithet "Yankee" had long implied, to the Southern understanding, something mean or abject. Up to the very last hour, prior to the response to Mr. Lincoln's proclamation for troops, (April 15th,) the disunion leaders confidently counted upon such aid and comfort from the commercial North and manufacturing East, as would greatly assist to secure Southern independence. The all-potent agency relied upon was the supposed dependence of Northern commerce and Eastern manufactures upon Southern patrons. The dollar-loving, mercenary men of the Free States were regarded as lacking the spirit to defend their Union sentiments by the sword. The following paragraph, from the *New Orleans Bee*, (March 10th,) simply embodied the almost generally prevalent feeling in the South regarding the honor and courage of the North:

"The Black Republicans are a cowardly set, after all. They have not the courage of their own convictions. They tamper with principles. Loathing Slavery, they are willing to incur almost any sacrifice rather than surrender the Border States. Appearances indicate their disposition even to forego the exquisite delight of sending fleets and armies to make war on the Confederate South, rather than run the risk of forfeiting the allegiance of the frontier Slave States. We see by this how hollow and perfidious is their policy, and how inconsistent are their acts with their professions. The truth is, they abhor Slavery, but they are fully alive to the danger of losing their power and influence, should they drive Virginia and the other Border States out of the Union. They chafe, doubtless, at the hard necessity of permitting South Carolina and her sisters to escape from their thralldom, but it is a necessity, and they must, perforce, submit to it."

The opinion was sedulously disseminated, by the press of the South, particularly during the months of January, February and March, that distress and pauperism in the North

would follow upon the secession of the Cotton States. This opinion gave zest to the disunion movement, as, in the near future, the Secessionists beheld their harbors teeming with a commerce too long committed to the North—their streams lined with looms too long monopolized by New England skill and energy—their cities a nursery for the ten thousand shops and factories required by the needs of a great and self-sustaining people. As a specimen of the system of falsehood and exaggeration practiced by the intriguants, to lure their victims on to the fatal issue of disunion, and to impress the Southern masses with a false idea of the results to follow the act, we quote from the *Charleston Mercury's* New York correspondence [March 12th:]

A specimen of Seces-  
sion Falsification.

"Any troops raised to invade the South, would have to march over the dead bodies of at least their own number before they ever set foot on Southern soil, and Greeley, and Beecher, and Field, and the other truculent Abolition leaders, would be seen some fine morning swinging by the neck from the lamp-posts of Broadway. But I fear that even your determination to stand by your rights, though it has cowed the poltroons whose tongues and types were so brave, will not ultimately prevent insurrections at the North. The whole city of New York, you may rely upon it, is on the verge of bankruptcy. Not five dry-goods houses will be able to stand. There is no business being done. The number of hands discharged is immense. The Morrill tariff will bring the commercial crisis here, made from political causes, to an explosion next month. The greater part of the foreign trade will be diverted southward, and in a short time pauperism and general distress will be so great, that risings and riots will take place, and the white slaves of commerce and capital, both in New York and New England, will administer to the lips of their taskmasters the poisoned chalice which they have prepared for the planters of the South. An ignorant proletarian mass, whose condition at best is infinitely inferior to that of your negroes, will be sure to 'better the instruction' they have received from their oracles. Long taught that 'property is robbery,' they will put the doctrine into practice at last upon a scale of fearful dimensions. At this moment, there are fifty thousand human beings in New York and Brooklyn who know not where they will be able to get their breakfast to-morrow morning, and every day the number of the destitute will greatly increase. The New York papers conceal or gloss over this terrible reality. If the South wants recruits to fight



its battles against invading hosts of Abolitionists, and to spare the lives of its own citizens, let the Confederacy employ a few agents in New York and other cities of the North, and it will soon have as many troops as it requires. There is not an unemployed Irishman who would not gladly enlist in the cause, and there are thousands of native Democrats eager for the same service. And, should the Lincoln Administration proceed to make war upon your commerce, you can find at the North any number of ships and men ready for *letters of marque* from the Southern Confederacy."

There is not, to use an Irish license of phraseology, a statement of fact here which is not a falsehood. It was simply conceived in the same spirit of baseness and treachery which seemed to underlie the entire fabric of

"Southern independence." If the masses of the Confederate States were thus deceived much was due to their willingness to be misinformed; but, the greatest share of crime which flowed from a conflict with the Federal Government may, with propriety, be charged upon a press suborned to treason and ambition. A free press and free schools are said to be the bulwarks of free institutions. The converse is equally true:—a suborned press and restricted system of education are instruments of tyranny. That the Southern States have been the victims of such tyranny, to a deplorable degree, history will be compelled to chronicle.

## CHAPTER VII.

THE SECRET HOPE IN THE SOUTH FOR PEACE. GOV. PICKENS' MESSAGE OF CONGRATULATION. CONFIDENCE IN A PEACEFUL ISSUE. ALEXANDER H. STEPHENS' APOSTOLATE. HIS "EXPOSITION" OF THE ORGANIC LAW OF THE NEW SLAVE CONFEDERACY.

Confidence in Peace. THAT the revolution was considered an accomplished fact, as early as April 1st, is evident not more from the legislation of the Confederate Congress and the acts of State Legislatures than in the communications which passed between the leaders of the secession movement. The idea of any prolonged resistance, on the part of the Federal Government, to the scheme for a Southern Confederacy, was not entertained. It was thought belligerent action might result in the case of Sumter, and grow out of the effort to repress the secession of Maryland; but, we believe that most of the better classes in the South, and most of their leading men, did not, in their private judgments, either expect or desire a state of actual war between the two sections of the country. This is an important point to establish, since it serves to fix the hostilities which followed

upon the proper parties—the few men of the Confederate Government who usurped the prerogatives of princes, in their direction of affairs.

Governor Pickens, under date of March 28th, communicated a message to the State Convention of South Carolina in response to the resolution adopted by the Confederate Congress, February 12th, viz. :

Governor Pickens' Message of Congratulation.

"Resolved, That this Government takes under its charge the questions and difficulties now existing between several States of this Confederacy and the Government of the United States, relating to the occupation of forts, arsenals, navy-yards, and other public establishments, and that the President of the Congress be directed to communicate this resolution to the Governors of the States."

The Governor stated that, on the 1st of March, the Secretary of War of the Confederacy wrote him as follows: "Under this act the President directs me to inform you, that



Governor Pickens'  
Message.

he assumes control of all the military operations of your State, having reference to,

or connected with, questions between your State and powers foreign to it. He also directs me to request you to communicate to the Department without delay, the quantity and character of arms and munitions of war which have been acquired from the United States, and which are now in the forts, arsenals, and navy-yards of your State, and all other arms and munitions which your State may desire to turn over and make chargeable to this Government."

The Governor complied with the resolution and requisitions, and stated the facts relating to the matter in the Message. He then proceeded to add his congratulations over the success of the revolution, in the following interesting terms:

"I herewith transmit the ordinances and resolutions of the different States that have seceded, and would call attention to the obvious propriety of providing for them, together with our own ordinance on the same subject, some suitable place of safe deposit. They are the simple, but authentic records of events well calculated to produce a profound impression upon the future destiny of our country.

"Heretofore in the history of the world, the great struggle has been to secure the personal rights of individuals. In former times the power of government absorbed all individual or personal rights of citizens. But our English ancestors, by their sturdy virtues, engrafted, at different periods, such grants and restrictions upon the British Constitution as effectually secured personal rights, and as far as that branch of liberty is involved, they made it as perfect as any other country.

"To secure the political rights of separate and independent communities, required a higher and broader range of political experience. The guarantees for personal rights in England was a great advance over the old feudal system of Europe; and it was then left to the separate States of America to develop a higher experience over a larger extent of territory, in those guarantees necessary to secure the local rights of separate independent communities, united under one common government.

"The old Constitution was intended to effect this advance in the science of Government, and if it had been properly administered, would have continued to develop the mighty resources and power of a wonderful people. But, under the combination of

ambition with fanaticism, they attempted to organize the great masses of the people so

as to act together in a consolidated majority, and administer the common Government without regard to the sacred guarantees by which the local rights and interests of separate communities should be preserved under the absolute control of their separate Governments. This, of course, reversed the whole philosophy of our peculiar system, and if permitted to become successful, would have given us no advance over the European system of Government. In fact, it would have placed us behind them in progress, for many of their most enlightened and powerful Governments asserted the doctrine, and acted upon it, that Governments and dynasties can be changed by Popular Sovereignty, expressed through universal suffrage, in independent communities; and they avow this as a substitute for the old theory of divine and hereditary right.

"Under our old articles of Confederation the Government had failed, and the Constitution of the United States grew out of the force of circumstances, and was adopted in order to secure, at that period, a more perfect union to enable us to resist foreign aggression. We have outgrown that state of things, and the danger lately was not from foreign aggression, but from internal corruption, and from an assumption in parts and majorities of absolute Governments over other parts, without reference to the limitations and reservations of the compact. Thus, that Constitution ran its career, and fulfilled its destiny, under the perverted and vitiated idea that we were a consolidated people. Under prejudices fostered by designing men, and under the worst passions inflamed by bad men, an absolute majority was created, who assumed that their will must necessarily be the Government, instead of the fixed principles of the Constitution, which were intended to guard the local rights and interests of the separate and independent communities which composed the Confederacy of States.

"Our State, true to the great principles upon which the Confederacy was formed, and true to those great and progressive ideas which were so identified with American Independence, was forced to resume her original powers of Government; and if she succeeds in engrafting the fundamental right of a separate and independent State to withdraw from any Confederacy that may be formed, whenever her people, in sovereign Convention assembled, shall so decide, then she will have made another advance in the science of Government, and added another guaranty to the great principle of civil liberty. And if this principle could be secured without an appeal to arms and blood, it would show that the country has progressed in civ-

Governor Pickens'  
Message.



Governor Pickens'  
Message.

ilization and intelligence, so far as to be able to settle all controversies and issues involving political rights, by an appeal to reason, interest, to free discussion, to Conventions, to treaties and covenants, rather than by an appeal to brutal force.

"True, we have encountered misrepresentation and abuse, and for a people so small in numbers as we are to make such an issue as we did, was full of danger and difficulty.

"But no people are fit to be free, unless they are able to treat denunciation with indifference, and to meet danger with fortitude.

"From peculiar circumstances, South Carolina was called on to take the first step in this march to independence. She had to encounter the first shock in the bitterness and fierce passions of our opponents. Those who had mastered the power of the Government, and were fondly gazing on the rich and ripe fruit supposed to be just within their grasp, naturally felt exasperated in disappointment, caused by this State interposing to arrest them in their lawless career of mad ambition and wild fanaticism. For a period we were surrounded with great difficulties, and threatened with danger that appeared imminent.

"As far as the Executive is concerned, I always considered that the peculiar mission of this State was, by a firm and temperate course, to lay the foundation of the Confederacy of States, homogeneous in feeling and interest, with such institutions and domestic civilization as would unite them in one common destiny, with a government devoted to their peace and safety, and with no interest to produce the slightest aggression upon other people; but deeply interested to develop those productions that are so largely demanded in the peaceful pursuits of mankind, and entering so largely into the comforts and progressive civilization of the world.

"When this State first withdrew from the Federal Union, I felt that we bore, on one side, critical relations to the Confederacy we had left, and also very delicate and peculiar relations to those Slave States which constituted the border of the Southern States; and we had still higher and more sacred duties and relations toward our sister States of the South, who were expected nobly to come to our side in the formation of a new Confederacy.

"All these relations made our course quite complicated, and full of deep obligations. In administering the duties of the Executive office, I can truly say that I never for one moment lost sight of the relations our State bore to all, and it has ever been my endeavor, while sustaining her separate rights and independence, never to do anything that might

show indifference to any of the great, complicated interests and relations with which she was surrounded.

"When your illustrious body adjourned, you saw the State standing alone, surrounded with peril, and clouds resting upon the future. Under the kind dispensations of a superintending Providence, I am now able to present her to you under a brighter day, surrounded by other States rich in their resources, with their brave and patriotic sons standing as a guard in the portals of a new Temple, reared by our common counsels, and dedicated to the *separate sovereignty of free and independent States*.

"F. W. PICKENS."

This Message, while it gives us an interesting view of the Southern view of the revolution, also proves that its author, one of the most outwardly belligerent of Secessionists, really regarded the state of peace as assured. The same assurance was extended to the people by the Montgomery Congress in its appointment of Commissioners to Washington, to negotiate for the amicable settlement of all old relations, and the friendly arrangement of new relations between the two Governments. [See their communication to the Secretary of State, pages 16-17, Vol. II.]

It is not necessary to remark upon the singular The Desire for Peace presumption on which this confidence in "peace and good will" rested. The "Memorandum" of Mr. Seward [see pages 17-18,] will answer on this point; but, that the intelligent people of the South not only hoped for peace but also deprecated a state of war, we assume to be conclusive, despite the offensive attitude of affairs. The fact of men being in arms—of the investment of Forts Pickens and Sumter—of the thorough military organization of States, were the outward means to intimidate the North—to "conquer a peace;" and, in the opinion of the Southerners were necessary to give the appearance of power to the new Government. But, the better class of citizens, even where they had espoused the cause of secession, shrunk from the terrors and disabilities of actual war as too fearful a price for the mere change of their national capital from Washington to Montgomery; and, if the forces called into the field were ever used to precipitate the conflict, the people were powerless before the Star Chamber tyranny of the



forty men who, exalted to power without the popular voice, legislated and decreed without awaiting for the popular assent.

Mr. Stephens' Apostolate. The speech made by Alexander H. Stephens—

Vice-President (by election of the "Congress" at Montgomery) of the Confederate Government—March 21st, at Savannah, Georgia, has been referred to as embodying the ideas upon which the new order of things was founded [see Vol. I., pgs 30-31.] The quotation there given was an exposition, more particularly, of the Slave-element entering into, and characterizing, the Confederate organic law. That section of the speech relating to the ability of the new Government to maintain its independence, deserves consideration here, as it was this speaker's "glittering generalities" which reconciled the intelligence of the South to the alarms of war which followed. Having been a strong Union man up to the moment of the passage, by the Georgia Convention, of its Ordinance of Secession, Mr. Stephens was regarded as a safe and conservative counsellor; and his views, set forth on the occasion referred to, prevailed to rally around the Administration of Jefferson Davis the conservatism and intelligence of the Seceded States. Prior to that date (March 21st,) it is believed the new dynasty did *not* have the confidence nor the sympathy of the well-informed and wealthier classes, to any great degree.

That it had their acquiescence is true, if silence gave consent; but, the ruling forty knew too well the danger of carrying forward their Government without the friendship and hearty co-operation of the best citizens. The turbulent and illy-informed of the population, would do for voters and soldiers—would admirably answer the purposes of machinators against liberty, and the ancient order of things; but that population—composed largely of "poor white trash," of pennyless politicians, of bankrupt spendthrifts, of gamblers and adventurers—was an element of danger as well as of strength, and could be made to yield very little to the tax-gatherer and the tribute-taker. The planter, the banker, the merchant, the real-estate operator, the steamboat proprietor, the

Slave-owner, must be constrained not only to embark in the cause, but to give it, also, their cordial support, both moral and material. To secure that support Mr. Stephens made his exposition; and it is not hazarding much to say that that exposition did more to consolidate Southern sentiment, more to prepare the Southern mind for even a fanatical adherence to the Davis Administration, than all other influences combined. Hence the speaker's words assume an historical significance, and we lay before the reader such portions of the "exposition" as seem to have been instrumental in centralizing sympathy for, and confidence in, the policy of resistance to all attempts upon the independence of the Confederate States. He said:

Mr. Stephens' Exposition. "We are passing through one of the greatest revolutions in the annals of the world. Seven States have, within the last three months, thrown off an old Government, and formed a new. This revolution has been signally marked, up to this time, by the fact of its having been accomplished without the loss of a single drop of blood. This new Constitution, or form of Government, constitutes the subject to which your attention will be partly invited.

"In reference to it, I make this first general remark: it amply secures all our ancient rights, franchises, and privileges. All the great principles of Magna Charta are retained in it. No citizen is deprived of life, liberty, or property, but by the judgment of his peers, under the laws of the land. The great principle of religious liberty, which was the honor and pride of the old Constitution, is still maintained and secured. All the essentials of the old Constitution, which have endeared it to the hearts of the American people, have been preserved and perpetuated. Some changes have been made—of these I shall speak presently. Some of these I should have preferred not to have seen made; but these, perhaps, meet the cordial approbation of a majority of this audience, if not an overwhelming majority of the people of the Confederacy. Of them, therefore, I will not speak. But, other important changes do meet my cordial approbation. They form great improvements upon the old Constitution. So, taking the whole new Constitution, I have no hesitancy in giving it as my judgment, that it is decidedly better than the old. Allow me briefly to allude to some of these improvements."

He then recurred to the Tariff; to the fea-



Mr. Stephens' Exposition.

ture of the Constitution\* giving Cabinet Ministers and Heads of Departments

the privilege of seats on the floors of Congress; to the tenure of the Presidential term of office; and followed with his allusions to the Slave-feature as incorporated in the Constitution, pronouncing the sentiment that freedom to the negro was a wrong—that the social fabric of the States was founded upon Slavery—that Slavery was the corner-stone of the new edifice. [See pages 30-31, Vol. I., for his words on this point.] He continued:—

"I have been asked, what of the future? It has been apprehended by some that we would have arrayed against us the civilized world. I care not who or how many they may be, when we stand upon the eternal principles of truth, we are obliged and must triumph.

"Thousands of people, who begin to understand these truths, are not yet completely out of the shell; they do not see them in their length and breadth. We hear much of the civilization and Christianization of the barbarous tribes of Africa. In my judgment those ends will never be attained, but by first teaching them the lesson taught to Adam, that 'in the sweat of thy brow shalt thou eat bread,' and teaching them to work, and feed and clothe themselves.

"But, to pass on. Some have propounded the inquiry: Whether it is practicable for us to go on with the Confederacy, without further accessions. Have we the means and ability to maintain nationality among the powers of earth? On this point I would barely say, that as anxious as we all have been, and are, for the Border States, with institutions similar with ours, to join us, still, we are abundantly able to maintain our position, even if they should ultimately make up their minds not to cast their destiny with ours. That they ultimately *will* join us, be *compelled* to do it, is my confident belief; but, we can get on very well without them, even if they should not.

"We have all the essential elements of a high national career. The idea has been given out at the North, and even in the Border States, that we are too small and too weak to maintain a separate nationality. This is a great mistake. In extent of territory we embrace 560,000 square miles and upward. This is upward of 200,000 square miles more than was included within the limits of the original thirteen States. It is an area of country more than double the territory of France or the Austrian em-

\* For the Constitution, at length, see Appendix, Vol. I, pages 513-20.

pire. France, in round numbers, has but 212,000 square miles. Austria, in round num-

bers, has 248,000 square miles. Ours is greater than both combined. It is greater than all France, Spain, Portugal, and Great Britain, including England, Ireland, and Scotland, together. In population we have upward of five millions—according to the census of 1860; this includes white and black. The entire population, including white and black, of the original thirteen States, was less than 4,000,000 in 1790, and still less in '76, when the independence of our fathers was achieved. If they, with a less population, dared maintain their independence against the greatest power on earth, shall we have any apprehension of maintaining ours now?

"In point of material wealth and resources, we are greatly in advance of them. The taxable property of the Confederate States cannot be less than \$22,000,000,000. This, I think I venture but little in saying, may be considered as five times more than the Colonies possessed at the time they achieved their independence. Georgia alone possessed, last year, according to the report of the Comptroller-General, \$672,000,000 of taxable property. The debts of the seven Confederate States sum up, in the aggregate, less than \$18,000,000, while the existing debts of the other of the late United States sum up, in the aggregate, the enormous amount of \$174,000,000. This is without taking into account the heavy city, corporation and railroad debts, which press, and will continue to press, a heavy incubus upon the resources of those States. These debts, added to others, make a sum total not much under \$500,000,000. With such an area of territory—with such an amount of population—with a climate and soil unsurpassed by any on the face of the earth—with such resources already at our command—with productions which control the commerce of the world—which can entertain any apprehensions as to our success whether others join us or not?

"I believe I state but the common sentiment when I declare my earnest desire that the Border States should join us. The difference of opinion that existed among us anterior to secession, related more to the policy in securing that result by co-operation, than from any difference upon the ultimate security we all looked to in common. These differences of opinion were more in reference to policy than principle; and, as Mr. Jefferson said in his Inaugural, in 1801, after the heated contest preceding his election, 'there might be differences of opinion without differences on principle,' and that 'all, to some extent, had been Federalists, and all Republicans;' so it may now be said of us, that whatever differences of opinion as to the best policy



in having a co-operation with our Border sister Slave States, if the worst come to the worst, that as we are all co-operationists, we are now all for independence, whether they come or not."

Mr. Stephens' Exposition.

The speaker then congratulated the Southern people that the revolution had been bloodless, and promised so to be—a statement which he felt constrained to make, in order to throw the responsibility of hostilities upon the Federal authorities, and thus to render the cause of the South just in the eyes of the conservative classes. He said:

"I was not without grave and serious apprehension, that, if the worst came to the worst, and cutting loose from the old Government would be the only remedy for our safety and security, it would be attended with much more serious ills than it has been, as yet. Thus far we have seen none of those incidents which usually attend revolutions. No such material as such convulsions usually throw up, have been seen. Wisdom, prudence, and patriotism have marked every step of our progress thus far. This augurs well for the future, and it is a matter of sincere gratification to me that I am enabled to make the declaration. Of the men I met in the Congress at Montgomery (I may be pardoned for saying this) an abler, wiser, a more conservative, deliberate, determined, resolute and patriotic body of men, I never met in my life. Their works speak for them; the provisional government speaks for them; the Constitution of the permanent government will be a lasting monument of their worth, merit, and statesmanship.

"But, to return to the question of the future: What is to be the result of this revolution? Will everything, commenced so well, continue as it has begun? In reply to this anxious inquiry, I can only say, all depends upon ourselves. A young man starting out in life on his majority, with health, talent, and ability, under a favoring Providence, may be said to be the architect of his own fortunes. His destinies are in his own hands. He may make for himself a name of honor or dishonor, according to his own acts. If he plants himself upon truth, integrity, honor, and uprightness, with industry, patience, and energy, he cannot fail of success. So it is with us; we are a young Republic, just entering upon the arena of nations; we will be the architect of our own fortunes. Our destiny, under Providence, is in our own hands. With wisdom, prudence, and statesmanship on the part of public men, and intelligence, virtue, and patriotism on the part of the people, success to the full measure of our most sanguine hopes, may be looked for.

But, if we become divided—if schisms arise—if dissensions spring up—if factions are engendered—if party spirit, nourished by unholy personal ambition, shall rear its hydra head, I have no good to prophesy for you. Without intelligence, virtue, integrity, and patriotism on the part of the people, no republic or representative government can be durable or stable.

"We have intelligence, and virtue, and patriotism. All that is required is to cultivate and perpetuate these. Intelligence will not do without virtue. France was a nation of philosophers. These philosophers became Jacobins. They lacked that virtue, that devotion to moral principle, and that patriotism which is essential to good government. Organized upon principles of perfect justice and right—seeking amity and friendship with all other powers—I see no obstacle in the way of our upward and onward progress. Our growth, by accessions from other States, will depend greatly upon whether we present to the world, as I trust we shall, a better government than that to which they belong. If we do this, North Carolina, Tennessee, and Arkansas cannot hesitate long; neither can Virginia, Kentucky, and Missouri. They will necessarily gravitate to us by an imperious law. We made ample provision in our Constitution for the admission of other States; it is more guarded, and wisely so, I think, than the old Constitution on the same subject, but not too guarded to receive them as fast as may be proper. Looking to the distant future, and perhaps not very distant either, it is not beyond the range of possibility, and even probability, that all the great States of the North-west shall gravitate this way, as well as Tennessee, Kentucky, Missouri, Arkansas, &c. Should they do so, our doors are wide enough to receive them, but not until they are ready to assimilate with us in principle."

As to the prospect of an open rupture with the North, and civil war, he said:

"The prospect of war is, at least, not so threatening as it has been. The idea of coercion shadowed forth by Mr. Lincoln in his Inaugural, seems not to be followed up, thus far, so vigorously as was expected. Fort Sumter, it is believed, will soon be evacuated. What course will be pursued toward Fort Pickens and the other forts on the Gulf, is not so well understood. It is to be greatly desired that all of them should be surrendered. Our object is *peace*, not only with the North, but with the world. All matters relating to the public property, public liabilities of the Union, when we were members of it, we are ready and willing to adjust and settle, upon the principles of right, equality, and good faith. War can be of no more benefit to the North than to us. The idea of coercing us, or subjugating us, is



Mr. Stephens' Exposition.

utterly preposterous. Whether the intention of evacuating Fort Sumter is to be received as an evidence of a desire for a peaceful solution of our difficulties with the United States, or the result of necessity, I will not undertake to say. I would fain hope the former. Rumors are afloat, however, that it is the result of necessity. All I can say to you, therefore, on that point is, keep your armor bright and your powder dry.

"The surest way to secure peace is to show your ability to maintain your rights. The principles and position of the present Administration of the United States—the Republican party—present some puzzling questions. While it is a fixed principle with them never to allow the increase of a foot of slave territory, they seem to be equally determined not to part with an inch of the "accursed soil." Notwithstanding their clamor against the institution, they seem to be equally opposed to getting more, or letting go what they have got. They were ready to fight on the accession of Texas, and are equally ready to fight now, on her secession. Why is this? How can this strange paradox be accounted for? There seems to be but one rational solution, and that is, notwithstanding their professions of humanity, they are disinclined to give up the benefits they derive from slave labor. Their philanthropy yields to their interest. The idea of enforcing the laws has but one object, and that is a collection of the taxes raised by slave labor, to swell the fund necessary to meet their heavy appropriations. The spoils are what they are after, though they come from the labor of the slave. He alluded to the difficulties and embarrassments which seemed to surround the question of a peaceful solution of the controversy with the old government. How can it be done? is perplexing many minds. The President seems to think that he cannot recognize our independence, nor can he, with and by the advice of the Senate,

do so. The Constitution makes no such provision. A General Convention of all the States has been suggested by some."

Mr. Stephens' Exposition.

Without proposing to solve the difficulty, he barely made the following suggestion:

"That as the admission of States by Congress under the Constitution was an act of legislation, and in the nature of a contract or compact between the States admitted and the others admitting, why should not this contract or compact be regarded as of like character with all other civil contracts—liable to be rescinded by mutual agreement of both parties? The seceding States have rescinded it on their part. Why cannot the whole question be settled, if the North desire peace, simply by the Congress in both branches, with the concurrence of the President, giving their consent to the separation, and a recognition of our independence? This he merely offered as a suggestion—as one of the ways in which it might be done with much less violence to constructions of the Constitution than many other acts of that government. The difficulty has to be solved in some way or other—this may be regarded as a fixed fact."

With this exposition the Confederates were willing to rest their case. Sustaining its views, they went into battle, the aggressors and assailants; defending its assumed prerogatives, they wasted their best blood and treasure. That the sentiments proclaimed were repulsive to the spirit of every civilized people in Christendom did not affect Southern polity and purpose: to own a "nigger" was the end and aim of every revolutionist. The Confederate Constitution was to secure and perpetuate that "inestimable privilege to every loyal Southerner."



## CHAPTER VIII.

THE SECRET PREPARATIONS IN NEW YORK FOR REINFORCING PICKENS AND SUMTER. LARGE NAVAL FORCE CALLED INTO COMMISSION. LIST OF VESSELS AND OFFICERS. EXCITEMENT THROUGHOUT THE COUNTRY. THE SOUTH TO RESIST SUPPLIES BEING THROWN INTO SUMTER. THE CONFEDERATE COMMISSIONERS' LAST COMMUNICATION. THE MILITARY CALLED OUT IN WASHINGTON. RESPONSE OF PUBLIC SENTIMENT TO THE NOW EVIDENT POLICY OF THE ADMINISTRATION.

Great Naval Move-  
ments.

THE "War for the Union" may be said to have been opened, on the part of the Federal Government, by the movements in New York harbor early in April. The activity apparent in the Brooklyn navy-yard, in putting vessels into commission, was followed (April 4th) by the appropriation of the Collins ocean steamers *Baltic* and *Atlantic* to Government service. Soon the California steamer *Illinois* was added to the number. All of these large and swift vessels were loaded with extraordinary expedition with heavy cargoes of provisions, munitions, forage, and horses, while quarters were prepared on the *Baltic* for a regiment of troops. The steam frigate *Powhatan*, of eleven guns and three hundred men, was called into commission, and in three days' time was turned from "ordinary" into sailing condition. She put to sea on the morning of April 6th, as convoy to the *Atlantic*. The *Harriet Lane*, steam revenue cutter, of five guns and ninety-six men, had already put out of the Narrows, followed by the steam tugs *Uncle Ben* and *Yankee*. The steamer *Water Witch*, at the Philadelphia navy-yard, was put in commission April 5th. All these vessels acted under sealed orders, and the public could only surmise as to their destination. The steam frigates *Roanoke* and *Wabash*, the steam corvette *Savannah*, and the brig *Perry*, at the Brooklyn navy-yard, were being hurried into condition for commission. At the Boston (Charlestown) navy-

yard, the steam frigates *Minnesota*, *Mississippi*, and *Colorado*, and the brig *Bainbridge*, were being hurriedly refitted. Commodore Stringham, it was understood, would assume command of the Southern Squadron,\* making the *Minnesota* his flag-ship.

\* This Squadron, and its service, were determined upon as early as March 25th, at which date the orders went forth for the commissions and rendezvous. It was composed as follows :

### THE FLEET.

Commander-in-Chief—Flag-Officer Silas H. Stringham.  
Second in Command—Flag-Officer G. J. Pendergrast.

### STEAM FRIGATE MINNESOTA—FORTY GUNS.

Captain—G. J. Van Brunt.  
Commander—Case.  
Lieutenants—Worden, Wainwright, Badger, Johnson, Foster, Mitchell, Wilson.  
Chief Engineer—Franklin Johnson.

### FRIGATE SABINE—FIFTY GUNS.

Captain—Henry A. Adams.  
Lieutenant and Executive Officer—J. R. M. Mullany.  
Lieutenants—George P. Welsh, Wm. H. Murdagh, Robt. F. R. Lewis, L. H. Norman.  
Acting Master—Wm. P. McCann.  
Surgeon—M. G. Delaney.

### SLOOP CUMBERLAND—TWENTY-FOUR GUNS.

Captain—John Marston.  
Lieutenants—First, Alexander Murray; Second, John S. Maury; Third, James H. Rochelle; Fourth, Chas. H. Greene; Fifth, Thomas O. Selfridge.  
Surgeon—Thomas Dillard.

### SLOOP ST. LOUIS—TWENTY GUNS.

Captain—Chas. H. Poor.  
Executive Officer—Lieutenant J. D. Todd.  
Lieutenants—W. W. Low, M. P. Jones, G. E. Belnap.  
Surgeon—John O. C. Barclay.

### SLOOP MACEDONIAN—TWENTY-TWO GUNS.

Captain—James Glynn.  
Lieutenants—Matthias C. Marin, Somerville Nicholson, Samuel R. Franklin, William H. Ward, Charles A. Babcock.  
Surgeon—William Grier.



The movement of troops toward New York, from interior stations, added to the feverish excitement now existing in all circles. Captain Barry's artillery and two companies of the Second infantry reached Fort Lafayette on the morning of April 5th. A company of sappers and miners, and several companies of the Third infantry, were already in the fort. At Fort Hamilton four hundred and ninety-one men were quartered, ready for immediate duty. Colonel Harvey Brown, of the Second infantry, was in command, and, together with Captain Foote and Lieutenant Almy, acted with unceasing vigilance in expediting the orders of Govern-

ment. Matters were managed with much discretion, and the public could only conjecture the destination of the troops, transports, and vessels of war.

The watchful friends of the South, in the North, gave full information of these preparations; while the enterprising daily journals of the metropolis vied with each other in details of proceedings, and in guesses at the truth. As a consequence, increased activity and excitement prevailed in the Confederate States. Troops were thrown into Charleston and Pensacola, in large bodies — these positions being regarded as the points menaced.

#### STEAM SLOOP BROOKLYN—TWENTY-FIVE GUNS.

Captain—William Walker.

Lieutenants—James A. Doyle, J. C. Williamson, Albert W. Smith, William N. Jeffers, William Mitchell, H. A. Adams.

Surgeon—Lewis W. Minor.

Engineers—Joshua Follansbee, W. B. Brooks, Marshal P. Jordan, James W. Wittaker, Henry Snyder, E. F. Mayer, Jr., John K. Neill.

#### STEAM SLOOP POWHATAN—ELEVEN GUNS.

Captain—Samuel Mercer.

Lieutenants—Egbert Thompson, Thomas C. Harris, and George Brown.

Surgeon—Joseph Wilson, Jr.

Chief Engineer—Harman Newell.

Engineers—First Assistants, Wm. J. Lamdin and James F. Lamdin; Second Assistants, J. McElmell and John Purdy; Third Assistants, William H. Gladding, E. Laws, and H. C. Melvain.

#### STEAM SLOOP POCAHONTAS—FIVE GUNS.

Captain—Samuel F. Hazard.

Lieutenants—Van R. Morgan, Beverly Kennon.

Past Assistant Surgeon—Francis M. Galt.

Engineers—First Assistant, E. W. Manning; Third Assistants, George H. Riley, Henry Wright, and David Smith.

#### STEAMER WYANDOT—FIVE GUNS.

Lieutenant Commanding—Abner Read.

Lieutenants—J. R. Eggleston, J. M. Stribling.

Assistant Surgeon—Algernon S. Garnet.

Engineers—First Assistant, W. H. Cushman; Third Assistants, M. H. Plunkett, K. Wilson.

#### STEAMER HARRIET LANE—FIVE GUNS.

Captain—J. Faunce.

First Lieutenant—D. B. Constable; Second, H. O. Porter; Third, J. M. Thatcher; Fourth, Horace N. Gamble.

Surgeon—J. N. Campbell.

Chief Engineer—J. R. Dryberg; First Assistant, Walter Scott; Second, C. G. Dale; Third, F. F. Pulsifer.

#### STEAMER MOHAWK—FIVE GUNS.

Lieutenant Commanding—James H. Strong.

Lieutenants—Alphonse Barbot, E. T. Sheddon, C. C. Carpenter.

Assistant Surgeon—Delavan Bloodgood.

Engineers—First Assistant, John S. Abert; Second Assistants, E. L. Dick, Geo. D. Emmons, and Edward C. Patten.

#### STEAMER CRUSADER—EIGHT GUNS.

Lieutenant Commanding—T. A. M. Craven.

Lieutenants—J. M. Duncan, J. E. Jewett, and A. E. K. Benham.

Passed Assistant Surgeon—J. W. B. Greenhom.

Engineers—First Assistant, J. A. Grier; Third Assistants, L. Campbell, O. H. Lackey, and J. D. Lining.

#### STEAMER WATER WITCH—THREE GUNS.

Lieutenant Commanding—John L. Davis.

Lieutenants—Charles H. Cushman, Thomas H. Eastman.

Engineers—First Assistant, Charles H. Loring; Second Assistant, Edward Scattergood; Third Assistant, Reynolds Driver.

#### STORESHIPS.

##### STORESHIP SUPPLY—TWO GUNS.

Captain—Alexander Gibson.

Lieutenants—C. H. B. Caldwell, James S. Maxwell, Alfred Hopkins.

Assistant Surgeon—A. W. Sandford.

##### STORESHIP RELEASE—ONE GUN.

Lieutenant Commanding—James Madison Frailey.

Lieutenant—James M. Bradford.

#### TRANSPORTS AND TUGS.

The transports and tugs chartered, up to April 8th, consisted of the following vessels :

	Tons.		Tons.
Coatzacoalcas.....	1,000	Ocean Queen.....	1,500
Fashion.....	1,000	Yankee.....	400
Atlantic.....	2,000	Thomas Freeborn..	320
Baltic.....	2,000		
Illinois.....	1,500	Total.....	9,720

The Home Squadron, at the date of April 6th, was distributed as follows :

Minnesota.....Ready for commission at Boston.  
 Water Witch...Went in commission at Philadelphia, Apl. 5th.  
 Powhatan ....Sailed from New York harbor, April 6th.  
 Brooklyn.....Off Fort Pickens, March 23d.  
 Crusader.....Sailed from New York, March 18th.  
 Cumberland ...Flag-ship, Norfolk, March 23d.  
 Falmouth.....Moored at Aspinwall.  
 Mohawk ....Sailed from New York, March 18th.  
 Macedonian....Vera Cruz, March 25th.  
 Pawnee.....At Washington, March 27th.  
 Pocahontas....Norfolk, March 26th.  
 Sabine.....Off Pensacola, March 23d.  
 St. Louis.....Off Fort Pickens, March 23d.  
 Supply.....New York for Gulf, March 23d.  
 Wyandotte ....Off Fort Pickens, March 23d.



Preparations of the  
Revolutionists to  
Resist.

A dispatch from Charleston, dated April 6th, read:

"Reliable information has been received from the North, that reinforcements are ordered to Fort Sumter, and will be accompanied by a squadron under command of Commodore Stringham.

"Five thousand Southern men, in addition to those at present in the fortifications, are ready to take the field within twenty-four hours.

"The ultimatum, siege or surrender, has not yet been sent to Major Anderson; but with the supplies sent to-day, he was notified by General Beauregard that they are the last, which is equivalent to a declaration of hostilities. This is positive.

"Troops have been ordered to rendezvous at points remote from Charleston, but within supporting distance, to watch the movements of the enemy. They move at once.

"Governor Pickens has all day been inspecting the batteries, accompanied by a portion of his Council and senior officers of the army. Everything throughout was in a state of efficiency. Bloodshed is inevitable, and if one drop is spilt, no one knows when it will end.

"A formal demand for the surrender of the fort has not been made, and may not be made at all.

"For obvious reasons, the intentions of the Confederacy are involved in mystery.

"The excitement is intense, and everybody is in fighting humor."

Lincoln's Avowal of  
his Policy.

All doubts as to the purposes of the Federal Executive were dispelled by

the arrival, at Charleston, April 8th, of Lieutenant Talbot, as a messenger from the War Department at Washington, to say that an *unarmed* steamer would proceed to supply Fort Sumter's garrison with provisions. The Lieutenant had previously arrived at Washington (on the morning of April 6th) as a messenger from Major Anderson, to say that, supplies of fresh food from Charleston having been cut off, the garrison would be forced to surrender at discretion, from starvation, if supplies were not thrown in, or the evacuation ordered. He returned, as stated, to Charleston to announce the determination of his Government to *provision* the garrison, at all hazards. That reply sounded the tocsin of war.

Before proceeding with the narrative of the remarkable military events which quickly followed, we will here close the story of the

diplomatic Commission of the Confederate Congress to the Federal Government at Washington. As stated [see page 18], the Southern Commissioners did not call for the reply to their first communication to the Department of State. The reasons, and the Commissioners' view of affairs in the interregnum, will appear in their letter to Mr. Seward, of April 9th, which was at once a plea and a declaration of hostility against the United States Government. It read as follows:

"WASHINGTON, April 9th, 1861.

"Hon. WM. H. SEWARD, Secretary of State  
of the United States, Washington:

"The Memorandum [see pages 16-17] dated 'Department of State, Washington, March 15th, 1861,' has been received through the hands of Mr. J. T. Pickett, Secretary to this Commission, who, by the instructions of the undersigned, called for it on yesterday at the Department.

"In that Memorandum you correctly state the purport of the official note addressed to you by the undersigned, on the 12th ult. Without repeating the contents of that note in full, it is enough to say here that its object was to invite the Government of the United States to a friendly consideration of the relations between the United States and the seven States lately of the Federal Union, but now separated from it by the sovereign will of their people, growing out of the pregnant and undeniable fact that those people have rejected the authority of the United States, and established a Government of their own. Those relations had to be friendly or hostile. The people of the old and new Governments, occupying contiguous territory, had to stand to each other in the relation of good neighbors, each seeking their happiness and pursuing their national destinies in their own way, without interference with the other, or they had to be rival and hostile nations. The Government of the Confederate States had no hesitation in electing its choice in this alternative. Frankly and unreserved, seeking the good of the people who had intrusted them with power, in the spirit of humanity, of the Christian civilization of the age, and of that Americanism which regards the true welfare and happiness of the people, the Government of the Confederate States, among its first acts, commissioned the undersigned to approach the Government of the United States with the olive branch of peace, and to offer to adjust the great questions pending between them in the only way to be justified by the consciences and common sense of good men who



The Confederate Commissioners' last Communication. had nothing but the welfare of the people of the two Confederacies at heart.

"Your Government has not chosen to meet the undersigned in the conciliatory and peaceful spirit in which they are commissioned. Persistently wedded to those fatal theories of construction of the Federal Constitution always rejected by the statesmen of the South, and adhered to by those of the Administration school until they have produced their natural and often-predicted results of the destruction of the Union, under which we might have continued to live happily and gloriously together, had the spirit of the ancestry who framed the common Constitution animated the hearts of all their sons—you now, with a persistence untaught and uncured by the ruin which has been wrought, refuse to recognize the great fact presented to you of a complete and successful revolution; you close your eyes to the existence of the Government founded upon it; and ignore the high duties of moderation and humanity which should attach to you in dealing with this great fact. Had you met the issues with the frankness and manliness with which the undersigned were instructed to present them to you and to treat them, the undersigned had not now the melancholy duty to return home and tell their Government and their countrymen that their earnest and ceaseless efforts in behalf of peace had been futile, and that the Government of the United States meant to subjugate them by force of arms.

"Whatever may be the result, impartial history will record the innocence of the Government of the Confederate States, and place the responsibility of the blood and mourning that may ensue upon those who have denied the great fundamental doctrine of American liberty, that 'governments derive their just powers from the consent of the governed,' and who have set naval and land armaments in motion to subject the people of one portion of the land to the will of another portion. That that can never be done while a freeman survives in the Confederate States to wield a weapon, the undersigned appeal to past history to prove. These military demonstrations against the people of the Seceded States are certainly far from being in keeping and consistency with the theory of the Secretary of State, maintained in his Memorandum, that those States are still component parts of the late American Union, as the undersigned are not aware of any constitutional power in the President of the United States to levy war without the consent of Congress, upon a foreign people, much less upon any portion of the people of the United States.

"The undersigned, like the Secretary of State, have no purpose to 'invite or engage in discussion' of the subject on which their two Governments are

so irreconcilably at variance.

It is this variance that has broken up the old Union, the disintegration of which has only begun. It is proper, however, to advise you that it were well to dismiss the hopes you seem to entertain that, by any of the modes indicated, the people of the Confederate States will ever be brought to submit to the authority of the Government of the United States. You are dealing with delusions, too, when you seek to separate our people from our Government, and to characterize the deliberate, sovereign act of the people as a 'perversion of a temporary and partisan excitement.' If you cherish these dreams you will be awakened from them, and find them as unreal and unsubstantial as others in which you have recently indulged. The undersigned would omit the performance of an obvious duty were they to fail to make known to the Government of the United States that the people of the Confederate States have declared their independence with a full knowledge of all the responsibilities of that act, and with as firm a determination to maintain it by all the means with which nature has endowed them, as that which sustained their fathers when they threw off the authority of the British crown.

"The undersigned clearly understand that you have declined to appoint a day to enable them to lay the objects of the mission with which they are charged, before the President of the United States, because so to do would be to recognize the independence and separate nationality of the Confederate States. This is the vein of thought that pervades the Memorandum before us. The truth of history requires that it should distinctly appear upon the record that the undersigned did not ask the Government of the United States to recognize the independence of the Confederate States. They only asked audience to adjust, in a spirit of amity and peace, the new relations springing from a manifest and accomplished revolution in the Government of the late Federal Union. Your refusal to entertain these overtures for a peaceful solution, the active naval and military preparations of this Government, and a formal notice to the commanding General of the Confederate forces in the harbor of Charleston, that the President intends to provision Fort Sumter by forcible means, if necessary, are viewed by the undersigned, and can only be received by the world, as a declaration of war against the Confederate States; for the President of the United States knows that Fort Sumter cannot be provisioned without the effusion of blood. The undersigned, in behalf of their Government and people, accept the gage of battle thus thrown down to them; and appealing to God and the judgment of mankind for the righteousness of their cause, the people of the



The Confederate Commissioners' last Communication.

Confederate States will defend their liberties to the last, against this flagrant and open attempt at their subjugation to sectional power.

"This communication cannot be properly closed without adverting to the date of your Memorandum. The official note of the undersigned, of the 12th March, was delivered to the Assistant Secretary of State on the 13th of that month, the gentleman who delivered it informing him that the Secretary of this Commission would call at twelve o'clock, noon, on the next day, for an answer. At the appointed hour, Mr. Pickett did call, and was informed by the Assistant Secretary of State that the engagements of the Secretary of State had prevented him from giving the note his attention. The Assistant Secretary of State then asked for the address of Messrs. Crawford and Forsyth, the members of the Commission then present in this city, took note of the address on a card, and engaged to send whatever reply might be made, to their lodgings. Why this was not done it is proper should be here explained. The Memorandum is dated March 15th, and was not delivered until April 8th. Why was it withheld during the intervening twenty-three days? In the postscript to your Memorandum you say it 'was delayed, as was understood, with their (Messrs. Forsyth and Crawford's) consent.' This is true; but it is also true that on the 15th of March, Messrs. Forsyth and Crawford were assured by a person occupying a high official position in the Government, and who, as they believed, was speaking by authority, that Fort Sumter would be evacuated within a very few days, and that no measure changing the existing *status* prejudicially to the Confederate States, as respects Fort Pickens, was then contemplated; and these assurances were subsequently repeated, with the addition that any contemplated change as respects Pickens, would be notified to us. On the 1st of April we were again informed that there might be an attempt to supply Fort Sumter with provisions, but that Governor Pickens should have previous notice of this attempt. There was no suggestion of any reinforcements. The undersigned did not hesitate to believe that these assurances expressed the intentions of the Administration at the time, or, at all events, of prominent members of that Administration. This delay was assented to, for the express purpose of attaining the great end of the mission of the undersigned, to wit: a pacific solution of existing complications. The inference deducible from the date of your Memorandum, that the undersigned had, of their own volition and without cause, consented to this long hiatus in the grave duties with which they were charged, is therefore not consistent with a

just exposition of the facts of the case. The intervening twenty-three days were em-

The Confederate Commissioners' last Communication.

ployed in active unofficial efforts, the object of which was to smooth the path to a pacific solution, the distinguished personage alluded to co-operating with the undersigned; and every step of that effort is recorded in writing, and now in possession of the undersigned, and of their Government. It was only when all these anxious efforts for peace had been exhausted, and it became clear that Mr. Lincoln had determined to appeal to the sword, to reduce the people of the Confederate States to the will of the section or party whose President he is, that the undersigned resumed the official negotiation temporarily suspended, and sent their Secretary for a reply to their official note of March 12th.

"It is proper to add that, during these twenty-three days, two gentlemen of official distinction as high as that of the personage hitherto alluded to, aided the undersigned as intermediaries in these unofficial negotiations for peace.

"The undersigned, Commissioners of the Confederate States of America, having thus made answer to all they deem material in the Memorandum filed in the Department on the 15th of March last, have the honor to be,

"JOHN FORSYTH,

"MARTIN J. CRAWFORD,

"A. B. ROMAN."

"A true copy of the original, by me delivered to Mr. F. W. Seward, Assistant Secretary of State of the United States, at eight o'clock in the evening of April 9th, 1861.

"Attest, J. T. PICKETT,

"Secretary, &c., &c."

"DEPARTMENT OF STATE, }

"WASHINGTON, April 10, 1861. }

"Messrs. Forsyth, Crawford, and Roman, having been apprised by a Memorandum which has been delivered to them, that the Secretary of State is not at liberty to hold official intercourse with them, will, it is presumed, expect no notice from him of the new communication which they have addressed to him under date of the 9th inst., beyond the simple acknowledgment of the receipt thereof, which he hereby very cheerfully gives."

"A true copy of the original received by the Commissioners of the Confederate States, this 10th day of April, 1861.

"Attest, J. T. PICKETT,

"Secretary, &c., &c."

The excitement attendant upon the vast military preparations then making

Withdrawal of the Commissioners.

by the Federal authorities, in Washington as



well as in Philadelphia, New York, and Boston, rendered the movements of the Southern Commissioners scarcely noticed or noted. Their mission never had the sympathy of any large class in the loyal States, and the treatment of the entire question, by Mr. Seward, obtained the endorsement of nine-tenths of the people\*—such was the majority in favor of the policy of resistance to revolution. The Commissioners left Washington for the South, on the morning of April 10th.

Attempt to Seize  
Washington.

In Washington all was stir and excitement. The presence of Colonel Ben McCullough, in the vicinity of the Capital, gave currency to the rumor of a *coup de main*, which the hardy Texan was already prepared to execute. Report had it that three thousand Virginians and a large body of Maryland rowdies were already enlisted in the enterprise of securing the Capital of the Union—which, in event of hostilities between the sections, would become a point of immense strategic and moral importance. The lynx-eye of the General-in-Chief was on the conspirators, however; and the enrollment of the District Militia, (April 8–12th,) under command of Adjutant-General McDowell, (afterward Major-General,) together with the presence in the city and vicinity of several strong detachments of United States troops, (regulars,) served to disconcert the schemes of the reckless ranger. That the capture of the Capital was contemplated, admits of no doubt; indeed, there is evidence that the plan of assault, and the disposition of the command, were matured at

Richmond, with the knowledge and assent of the Executive at Montgomery. General Scott trusted more to his own vigilance and power of arms than to Southern honor, and in every instance, frustrated the designs entertained against the city, by traitors within it and rebels in arms without.

A dispatch from Washington, April 10th, said:

Powerful Sympathy  
for the Administration.

“Mr. Lincoln, and the great majority of the Cabinet who entertain the policy inaugurated, are receiving hourly assurances of the favor with which that policy is received. The North seems a unit, but it is not the North alone that sends the most hearty commendations. Strange as it may seem, the Border States are quite as earnest as the North. They seem to have the positive position of the Administration as a prospective bulwark, protecting them from the desolation, anarchy, and taxation of secession. I shall be much mistaken, if the results do not prove that a firm maintenance of the rights of the General Government is the sole preventive of Border State secession.” This indicated the state of public sentiment very correctly, so far as it applied to the Free States. Throughout the North the slumbering fires of patriotism were hourly gathering strength, and only awaited the boom of Sumter’s guns to burst forth in mighty strength against the revolutionists. The Border States were so divided in sentiment and sympathy, that their loyalty was questioned—a doubt only confirmed by the negative, and not too courteous, reply to the President’s call for troops.

\* See Appendix page 472, for the exposition made by Judge Campbell. The Southern view of the course pursued by Mr. Seward, it will be there seen, is that he acted with persistent deception and treachery.



## CHAPTER IX.

### THE BOMBARDMENT OF FORT SUMTER.

Initial Correspondence.

UPON the reception of information that the Federal Government designed to provision Fort Sumter, the following note winged its way over the wires :

“ CHARLESTON, April 8th.

“ L. P. WALKER, Secretary of War :

“ An authorized messenger from President Lincoln just informed Governor Pickens and myself that provisions will be sent to Fort Sumter peaceably, or otherwise by force.

“ (Signed,) “ G. T. BEAUREGARD.”

No answer was returned until April 10th. The issue now forced, of initiating war or of acknowledging the supremacy of the United States Government over its forts, compelled the Secessionists to pause for a moment before taking the responsible step. A prolonged council of the leading chiefs of the secession conspiracy was held at Montgomery, where many of them were gathered. The war element which they had evoked now held the mastery. If they would have chosen the calmer and more discreet course of allowing the fort to be provisioned, the twenty thousand wild spirits in arms would have precipitated the conflict. If the leaders would lead they must not be led, now that the revolution had to encounter opposition in the field. The programme was determined upon, and the following correspondence rapidly followed :

“ MONTGOMERY, 10th.

“ Gen. G. T. BEAUREGARD, Charleston :

“ If you have no doubt of the authorized character of the agent who communicated to you the intention of the Washington Government, to supply Fort Sumter by force, you will at once demand its evacuation, and if this is refused, proceed in such a manner as you may determine, to reduce it. Answer.

“ L. P. WALKER, Sec. of War.”

“ CHARLESTON, April 10.

“ L. P. WALKER, Secretary of War :

“ The demand will be made to-morrow at twelve o'clock.

“ G. T. BEAUREGARD.”

“ MONTGOMERY, April 10.

“ Gen. BEAUREGARD, Charleston :

“ Unless there are especial reasons connected with your own condition, it is considered proper that you should make the demand at an early hour.

“ L. P. WALKER, Sec. of War.”

“ CHARLESTON, April 10.

“ L. P. WALKER, Secretary of War, Montgomery :

“ The reasons are special for twelve o'clock.

“ G. T. BEAUREGARD.”

“ HEADQUARTERS PROVISIONAL ARMY C.S.A., }  
CHARLESTON, S. C., April 11, 1861-2 P. M. }

“ SIR : The Government of the Confederate States has hitherto forbore from any hostile demonstration against Fort Sumter, in the hope that the Government of the United States, with a view to the amicable adjustment of all questions between the two Governments, and to avert the calamities of war, would voluntarily evacuate it. There was reason at one time to believe that such would be the course pursued by the Government of the United States ; and under that impression my Government has refrained from making any demand for the surrender of the fort.

“ But the Confederate States can no longer delay assuming actual possession of a fortification commanding the entrance of one of their harbors, and necessary to its defense and security.

“ I am ordered by the Government of the Confederate States to demand the evacuation of Fort Sumter. My Aids, Colonel Chesnut and Captain Lee, are authorized to make such demand of you. All proper facilities will be afforded for the removal of yourself and command, together with company arms and property, and all private property, to any post in the United States which you may elect. The flag which you have upheld so long and with so much fortitude, under the most trying cir-



cumstances, may be saluted by you on taking it down.

"Colonel Chesnut and Captain Lee will, for a reasonable time, await your answer.

"I am, sir, very respectfully,

"Your obedient servant,

"G. T. BEAUREGARD,

"Brigadier-General Commanding.

"Major ROBERT ANDERSON, Commanding at Fort Sumter, Charleston Harbor, S. C."

"HEADQUARTERS, FORT SUMTER, S. C., }  
April 11th, 1861.

"GENERAL: I have the honor to acknowledge the receipt of your communication demanding the evacuation of this fort; and to say in reply thereto that it is a demand with which I regret that my sense of honor and of my obligations to my Government prevent my compliance.

"Thanking you for the fair, manly, and courteous terms proposed, and for the high compliment paid me,

"I am, General, very respectfully,

"Your obedient servant,

"ROBERT ANDERSON,

"Major U. S. Army, Commanding.

"To Brigadier-General G. T. BEAUREGARD, Commanding Provisional Army, C. S. A."

"MONTGOMERY, April 11.

"Gen. BEAUREGARD, Charleston:

"We do not desire needlessly to bombard Fort Sumter, if Major Anderson will state the time at which, as indicated by him, he will evacuate, and agree that, in the mean time, he will not use his guns against us, unless ours should be employed against Fort Sumter. You are thus to avoid the effusion of blood. If this or its equivalent be refused, reduce the fort as your judgment decides to be most practicable.

"L. P. WALKER, Sec. of War."

"HEADQUARTERS PROVISIONAL ARMY C. S. A., }  
CHARLESTON, April 11, 1861—11 P. M. }

"MAJOR: In consequence of the verbal observations made by you to my Aids, Messrs. Chesnut and Lee, in relation to the condition of your supplies, and that you would in a few days be starved out if our guns did not batter you to pieces—or words to that effect;—and desiring no useless effusion of blood, I communicated both the verbal observation and your written answer to my communication to my Government.

"If you will state the time at which you will evacuate Fort Sumter, and agree that in the mean time you will not use your guns against us, unless ours shall be employed against Fort Sumter, we will abstain from opening fire upon you. Colonel Chesnut and Captain Lee are authorized by me to

enter into such an agreement with you. You are therefore requested to communicate to them an open answer.

"I remain, Major, very respectfully,

"Your obedient servant,

"G. T. BEAUREGARD,

"Brigadier-General Commanding.

"Major ROBERT ANDERSON, Commanding at Fort Sumter, Charleston Harbor, S. C."

"HEADQUARTERS, FORT SUMTER, S. C., }  
"2.30 A. M., April 12, 1861. }

"GENERAL: I have the honor to acknowledge the receipt of your second communication of the 11th inst., by Colonel Chesnut, and to state, in reply, that cordially uniting with you in the desire to avoid the useless effusion of blood, I will, if provided with the proper and necessary means of transportation, evacuate Fort Sumter by noon of the 15th instant, should I not receive, prior to that time, controlling instructions from my Government or additional supplies; and that I will not, in the mean time, open my fire upon your forces, unless compelled to do so by some hostile act against the fort, or the flag of my Government, by the force under your command, or by some portion of them, or by the perpetration of some act showing a hostile intention on your part against this fort, or the flag it bears.

"I have the honor to be, General,

"Your obedient servant,

"ROBERT ANDERSON,

"Major U. S. A. Commanding.

"To Brigadier-General G. T. BEAUREGARD, Commanding Provisional Army, C. S. A."

"FORT SUMTER, S. C., }

"April 12, 1861, 3.20 A. M. }

"SIR: By authority of Brigadier-General Beauregard, commanding the Provisional Forces of the Confederate States, we have the honor to notify you that he will open the fire of his batteries on Fort Sumter in one hour from this time.

"We have the honor to be, very respectfully,

"Your obedient servants,

"JAMES CHESNUT, Jr., Aid-de-Camp

"STEPHEN D. LEE, Captain S. -  
Army and Aide-de-Camp.

"Major ROBERT ANDERSON, United States Army, Commanding Fort Sumter."

Punctually, at the hour indicated—twenty minutes past four A. M.—the roar of a mortar from Sullivan island announced the war begun. A second bomb from the same battery followed; then Fort Moultrie answered with the thunder of a columbiad; Cumming's Point next, and the



Floating battery, dropped in their resonant notes; then a pause, but only for a moment. A roar of fifty guns burst in concert, a chorus to the solemn prelude which must have startled the spirits of the patriotic dead\* in their slumbers.

Sumter lay off in the waters, the centre of that appalling circle of fire. The early morning shadows had lifted from its ramparts to discover the Stars and Stripes floating from the garrison staff; but, it was as silent amid that storm as if no living soul panted and fretted within its walls. It was the silence of duty—of men resolved on death, if their country called for the sacrifice. For months the little garrison had been pent up in the fortress, overworked and underfed; but, not a murmur escaped the men, and the hour of assault found all prepared for their leader's orders—to defend the fort to the last.

The sentinels were removed from the parapet, the posterns closed, and the order given for the men to keep close within the casemates, until the call of the drum. Breakfast was quietly served at six o'clock—the shot and shell of the enemy thundering against the walls and pouring within the enclosure with remarkable precision. After breakfast, disposition was calmly made for the day's work. The casemates were supplied from the magazines; the guns, without tangents or scales, and even destitute of bearing screws,† were to be ranged by the eyes and fired "by guess;" the little force was told off in relays, composed of three reliefs, equally dividing the officers and men. Captain Arthur Dobledday took the first detachment, and fired the first gun at seven o'clock. The Captain directed his guns at Moultrie, at the Cum-

ming's Point iron battery, the Floating iron-clad bat-  
tery anchored off the end of Sullivan's island, and the Enfilading battery on Sullivan's island—all of which were then pouring in a scathing storm of solid shot. To the mortar batteries on James' island and Mount Pleasant, and to Fort Johnson, but little attention was paid—only an occasional columbiad answering their terrific messengers to prove its defiance. The parapet guns were not served after a few rounds, as their exposed condition rendered it impossible to work them without a sacrifice of men—a sacrifice Anderson would not needlessly allow. Throughout all that fearful fray, the commander seemed never to lose sight of the men; and, that not a man was lost during the bombardment, reflects quite as much honor upon him, as the defense did honor to his devotion to duty.

The zeal of the men was so great that the second and third reliefs refused to await their turns; hence, the number of discharges, during the first eight hours, led the enemy to think that the fort must have been reinforced. The state of feeling among the men may be inferred from an incident related of a company of Irish laborers within the fort, not enlisted in the service. At first they refused to assist in handling the heavy guns; but soon their ardor was enkindled, and, ere long, every man was begrimed with the stains of battle. From that moment until the cessation of firing, none labored more zealously or enthusiastically than the Irish "irregulars"—as they were jocosely named by the troops. Their devotion, indeed, became reckless. An officer stated that, having ordered the barbette guns to be silenced, owing to the murderous fire made upon them by the rifled ordnance of the Enfilading battery, he was surprised to hear a report from one of the exposed forty-two-pounders. Proceeding to the parapet, he found a party of the workmen serving the gun. "I saw one of them," he stated, "stooping over, with his hands on his knees, convulsed with joy, while the tears rolled down his powder-begrimed cheeks. 'What are you doing there with that gun?' I

\* June 4th, 1776, Moultrie was bombarded by the British fleet from eleven A. M. until seven P. M., when the fleet drew off in a crippled condition. The fort was defended by Colonel Moultrie and 400 men, with a loss of fourteen killed and twenty-two wounded. The dead reposed in graves almost overshadowed by the smoke of the conflict of April 12th.

† See letter of Dr. W. H. Russell to London *Times*, dated Charleston, April 21st. The Dr. visited Sumter shortly after the evacuation, and saw the guns.



asked. 'Hit it right in the centre,' was the reply, the man meaning that his shot had taken effect in the centre of the Floating battery."

Another officer present thus recorded the nature and effect of that literal rain of iron which, all the day long (Friday), poured in upon the still defiant walls:

"Shells burst with the greatest rapidity in every portion of the work, hurling the loose brick and stone in all directions, breaking the windows, and setting fire to whatever woodwork they burst against. The solid shot firing of the enemy's batteries, and particularly of Fort Moultrie, was directed at the barbette guns of Fort Sumter, disabling one ten-inch columbiad (they had but two), one eight-inch columbiad, one forty-two-pounder, and two eight-inch sea-coast howitzers, and also tearing a large portion of the parapet away. The firing from the batteries on Cumming's Point was scattered over the whole of the gorge, or rear, of the fort. It looked like a sieve. The explosion of shells, and the quantity of deadly missiles that were hurled in every direction, and at every instant of time, made it almost certain death to go out of the lower tier of casemates, and also made the working of the barbette, or upper uncovered guns, which contained all our heaviest metals, and by which alone we could throw shells, quite impossible. During the first day there was hardly an instant of time that there was a cessation of the whizzing of balls, which were sometimes coming half a dozen at once. There was not a portion of the work which was not seen in reverse (that is, exposed by the rear,) from mortars."

The fire from the Cumming's Point battery (called the Stevens' iron battery) was particularly close and effective. Mounting several heavy Dahlgrens, and possessing a fine English (rifled) sixty-four-pounder, it proceeded deliberately to cut away the walls by sections, on the south-west side, and did more damage than all the combined guns of the other batteries. Anderson's heavy columbiads scarcely affected its mailed front. So, also, with the Floating battery—Sumter's metal did not disable it; and, through all the

bombardment, it served an efficient part,—thus first practically demonstrating the availability of such structures for harbor defense and assault.

At noon, Friday, the supply of cartridge in the fort was exhausted, when the blanket of the barracks and the shirts of the men were sewed into the required bags and served out. No instrument was in the fort for weighing the powder, thus forbidding accuracy in the charge, and, as a consequence, much variation in planting the shot. When we add that the guns wanted both tangents, breech or telescopic sights—that wedges served instead of bearing screws, we can only express astonishment at the accuracy attained. Not a structure of the enemy escaped the solid balls of the columbiads and paixhans. The village of Moultrieville—gathering of summer-houses belonging to citizens of Charleston—was completely riddled.

The fleet appeared off the harbor at noon Friday. Signals passed between Anderson and the vessels, but no effort was made to run the gauntlet. Along Morris and Sullivan islands were anchored small batteries, commanding the harbor entrance, expressly designed to prevent the passage of vessels over the bar and up the channel. To have passed these only would have brought the vessel in range of the irresistible guns of Cumming's Point and of Moultrie. No wooden frame could have withstood their fearful hail. The only feasible plan was, under cover of the night, to run in with small boats; or, to force a landing on Morris island, and carry the batteries by assault. Either plan would have proven successful, if conducted with spirit, though it would have entailed much loss of life. Why it was not undertaken, is only explainable on the inference that *Mr. Lincoln did not want to retain Sumter*. The possession of the fort was a matter of military importance; a blockade would render *all* the defenses of the harbor useless. The assault on the fort would serve to initiate the War for the Union, and thus instate the President's policy for the suppression of the rebellion. The refusal to withdraw the garrison from Charleston harbor unquestionably was the subtle key to unlock the nation.



The Bombardment. sympathies and to place in Mr. Lincoln's hands the entire power of the loyal States. He counted well upon the madness of the Confederates, and simply opened the way for them to assail the Government by assaulting its garrison. This was the part for Fort Sumter to play; and, having played it successfully, it was not necessary to retain the position. The evacuation of the fortress, and the return to the North of its garrison, to excite public sympathy, would be worth more to the cause of the Union than the reinforcement and retention of the stronghold.\*

During Friday's bombardment the officers' barracks within the fort were several times set on fire by the exploding shells, but were quickly extinguished, chiefly through the exertions of a New York police officer, a Mr. Hart, who, having visited the fortress, tarried with Major Anderson to serve when the crisis came. His daring and coolness in suppressing the flames, obtained all praise.

Friday night the firing from the mortar batteries continued at intervals to keep the garrison from repairing damages or taking rest. Saturday morning, at the earliest light, the cannonading was resumed with redoubled fury. By eight o'clock the red-hot balls from the furnace in Moultrie came to

\* The President, upon this occasion as upon others at a later date, displayed extraordinary sagacity. The London *Times* of April 10th wrote: "Thus the critical days and weeks fly by, and we know no more of the plans of the American Government, and, for aught we can see, the *American Government knows no more of its plans*, than on the first day when it acceded to office with a manifesto, the interpretation of which has exercised all the controversial talent of the country, and hitherto without leading to any conclusion. \* \* \* While the *Councils of the North are thus vacillating and undecided*, the men of the South are working out the problem they have undertaken with every appearance of calmness and deliberation." The "Thunderer's" prescience was not then capable of penetrating deeper into the mysteries of diplomatic strategy than its correspondent, Mr. Russell, was, afterward, capable of apprehending the spirit and capacity of the Northern people. That apparent hesitancy demonstrated that Mr. Lincoln had a policy, as wise as it was far-reaching in its aims—that the "Councils of the North" were neither "vacillating nor undecided."

prove that the revolutionists would use every means to dislodge the obstinate

The Bombardment.

Anderson. Soon the barracks and quarters were in flames, past all control. The men were then withdrawn from the guns, to avert the now impending danger to the magazine. The powder must be emptied into the sea. Ninety barrels were rolled over the area, exposed to the flames, and pitched into the water. By this time the heat from the burning buildings became intense, fairly stifling the men with its dense fumes. The doors of the vault were, therefore, sealed, while the men crept into the casemates to avoid suffocation by cowering close to the floor, covering their faces with wet cloths. An occasional gun only could be fired, as a signal to the enemy and the fleet outside, that the fort had not surrendered. The colors still floated from the staff. When the winds bore the smoke and flames aside, its folds revealed to the enemy the glorious stars and stripes, waving there amid the ruin and treble terror, unscathed. Its halyards had been shot away, but, becoming entangled, the flag was fixed. Only the destruction of the staff could drag it down.

This appalling conflagration seemed to inflame the zeal of the assailants. The entire circle of attack blazoned with fire, and the air was cut up into hissing arches of smoke and balls. The rebel general-in-command had stated that two hours, probably, would suffice to reduce the fortress, but twenty-eight hours had not accomplished the work; and now, as the besiegers beheld another and more invincible power coming to their aid, they acknowledged the service rendered, by frenzied shouts and redoubled service at their guns. It must have been a moment to inspire the enthusiasm of seven thousand sons of the South, when flames and suffocation came to assist in reducing eighty half-starved and exhausted men.

About noon of Saturday, the upper service magazine exploded, tearing away the tower and upper portions of the fort, and doing more havoc than a week's bombardment could have effected. One who was present wrote: "The crash of the beams, the roar of the flames, the rapid explosion of the



The Bombardment.

shells, and the shower of fragments of the fort, with the blackness of the smoke, made the scene indescribably terrific and grand. This continued for several hours. Meanwhile, the main gates were burned down, the chassis of the barbette guns were burned away on the gorge, and the upper portions of the towers had been demolished by shells.

"There was not a portion of the fort where a breath of air could be got for hours, except through a wet cloth. The fire spread to the men's quarters, on the right hand and on the left, and endangered the powder which had been taken out of the magazines. The men went through the fire and covered the barrels with wet cloths, but the danger of the fort's blowing up became so imminent, that they were obliged to heave the barrels out of the embrasures. While the powder was being thrown overboard, all the guns of Moultrie, of the iron floating battery, of the enfilade battery, and the Dahlgren battery, worked with increased vigor.

"All but four barrels were thus disposed of, and those remaining were wrapped in many thicknesses of wet woolen blankets. But three cartridges were left, and these were in the guns. About this time the flag-staff of Fort Sumter was shot down, some fifty feet from the truck, this being the ninth time that it had been struck by a shot. The men cried out: 'The flag is down; it has been shot away!' In an instant, Lieutenant Hall rushed forward and brought the flag away. But the halliards were so inextricably tangled, that it could not be righted; it was, therefore, nailed to the staff, and planted upon the ramparts, while batteries in every direction were playing upon them."

Shortly after the flag had disappeared, Louis T. Wigfall, late United States Senator from Texas, appeared at one of the embrasures, bearing a white flag, and begging admittance. Crawling in, he demanded to see Anderson, saying he came from General Beauregard. He was met by Captain Foster, Lieutenant Mead, and Lieutenant Davis, to whom he exclaimed: "I am General Wigfall, and come from General Beauregard; I wish to see Major Anderson. Let us stop

this firing. You are on fire;

your flag is down; let us

quit!" "No, sir, our flag

is *not* down!" was the answer of Davis. "Look

out upon the ramparts—it is waving there.

Without noticing the answer, he excitedly

asked: "Will no one wave a white flag?"

"That is for you to do," was Davis' reply.

"If *you* want the firing to stop, *you* must

stop it." Whereupon Wigfall stepped into

the embrasure, and held forth the handker-

chief fixed on his sword. Davis ordered a

corporal to relieve the General, as the shot

flew furiously around the exposed spot. No

attention being paid by the enemy to the

signal, the corporal indignantly returned in

saying, with a soldier's oath, "They don't re-

spect your flag. I won't hold it!" Wigfall

then asked that it might be shown from the

ramparts. Davis said: "If you request the

flag to be shown while you hold a conference

with Major Anderson, and for that purpose

alone, it may be done." Major Anderson

came up at that moment, when the "irre-

pressible" Texan introduced himself in these

terms: "I am General Wigfall, and come

from General Beauregard, who wishes to stop

this." "Very well, sir!" was Anderson's re-

ply, as he slightly lifted his person and came

down solidly on his heels. "Major Anderson,"

continued Wigfall, "you have defended

your flag nobly; you have done all that

it is possible for man to do, and General

Beauregard wishes to stop the fight. On

what terms will you evacuate the fort?"

Looking him sharply in the face, Anderson

replied, with much decision: "General Beau-

regard is already acquainted with my terms—

referring to his (Anderson's) note of the

11th. "I have no other terms to offer." Wi-

fall bowed, as his face lit up with a combi-

ed sense of his own importance, and that of

his mission. "Then I understand you wish

to evacuate?" "Yes, sir, on my already known

terms." "Then, all I have to do is, to leave

you military men to arrange everything

your own way. Good day, sir!" Wigfall

disappeared through the embrasure, into his

small boat, leaving his little white flag still

on the ramparts.

What was Anderson's mortification soon

learned that Wigfall was diplomatizing and

The Flag of Truce.



The Flag of Truce.

conquering on his own responsibility! A few moments after his exit through

the embrasure, another boat pulled up at the landing, when several of General Beauregard's staff, bearing a white flag, were admitted. They said they came to offer the assistance of the commanding General to put out the fire. Anderson, thanking them for their offer, replied, that he had just agreed to an evacuation. The staff opened their eyes in wonder. "With whom had he agreed?" "Wigfall, who professed to represent General Beauregard!" The staff expressed surprise, confessing to Anderson that the Texan had acted without authority. The Major saw, at once, how egregiously he had been imposed upon by the wandering mountebank. It was too late, however, to remedy the imposture, for Wigfall undoubtedly had immediately sought Beauregard's quarters. The Major expressed his mortification and his purposes in an order to Lieutenant Davis to run up his flag, in full view. The pride and sense of duty of the brave defender were aroused, and the deputation foresaw that he would perish in his fortress rather than submit to new terms or to further negotiations.

Anderson's Terms of Evacuation accepted.

After a brief conference among the Southern men, they requested him to allow

matters to remain in *statu quo* until they should confer with their commander. This was done; and, ere long, a second commission from Beauregard's staff pulled over to the fort, bearing an acceptance of the terms proposed to Wigfall. This acceptance was regarded by the revolutionists as an act of great magnanimity, since Anderson's reduction to an unconditional surrender was but the question of a few hours at most. The gallant bearing of the Major and his men had won the admiration of the assailants; and none, apparently, were more rejoiced at the safety of every man of the garrison, than the leading officers of the assailants. Anderson, when told that the Confederates had not lost a man, expressed his gratification at the bloodless result—a result owing much to the illy-prepared condition of Sumter's armament. Had Anderson's fine artillerymen been provided with properly-equipped guns,

unquestionably they would have filled many a Southern home with mourning.

Anderson's Terms of Evacuation accepted.

The conflict was ended. The batteries had ceased their fire with the departure of the first deputation, under a flag of truce, to the fortress; and, by four o'clock, Charleston harbor was as silent as if its serene atmosphere had not been disturbed by the shock of battle. Anderson's men rested from their labors in peace. Assistance was volunteered to quench the fire, by the Charleston fire department; and when darkness reigned over all, the wearied sank to rest, conscious of duty done, and that the country's benediction awaited them.

During the bombardment, a vast concourse of people gathered in Charleston, and lined the wharves and promenade, to witness the sublime contest. The surrounding country poured in its eager, excited masses, to add to the throng. Men, women, and children stood there, hour after hour, with blanched faces and praying hearts; for, few of that crowd but had some loved one in the works under fire. Messengers came hourly from the several positions, to assure the people of the safety of the men. The second day's conflict found the city densely filled with people, crowding in by railway and private conveyances, from the more distant counties, until Charleston literally swarmed with humanity, which, in dispersing, after the evacuation, played the important part of agents to "fire the Southern heart" for the storm which their madness had evoked.

The evacuation took

place Sunday morning,

The Evacuation.

commencing at half-past

nine. The steamer *Isabel* was detailed to receive the garrison, and to bear it to any port in the North which Anderson might indicate. The baggage was first transferred to the transport; then the troops marched out, bearing their arms; while a squad, specially detailed, fired fifty guns as a salute to their flag. At the last discharge, a premature explosion killed one man, David Hough, and wounded three—the only loss and injury which the men suffered in the eventful drama. The troops then lowered their flag and marched out with their colors flying,



while the band played "Yankee Doodle" and "Hail to the Chief." From the *Isabel* the garrison was conveyed to the transport *Baltic*, still anchored outside the bar. The *Baltic* sailed for New York Tuesday evening, April 16th.

Major Anderson's  
Official Dispatch.

Major Anderson's dispatch to his Government was almost laconic in its brevity. It, however, told the whole story :

STEAMSHIP *BALTIC*, OFF SANDY HOOK, {  
April 18th, 1861.

*The Honorable S. Cameron, Secretary of War, Washington, D. C. :*

SIR: Having defended Fort Sumter for thirty-four hours, until the quarters were entirely burned,

the main gates destroyed by fire, the gorge wall seriously injured, the magazine surrounded by flame and its door closed from the effects of the heat, four barrels and three cartridges of powder only being available, and no provisions but pork remaining, I accepted terms of evacuation, offered by General Beauregard, being the same offered by him on the 11th instant, prior to the commencement of hostilities, and marched out of the fort Sunday afternoon the 14th instant, with colors flying and drums beating, bringing away company and private property, and saluting my flag with fifty guns.

ROBERT ANDERSON,

Major, First Artillery.

This ended the drama of Sumter—a drama which served to prelude the grander tragedy of the War for the Union.

## CHAPTER X.

PRESIDENT LINCOLN'S PROCLAMATION CALLING FOR SEVENTY-FIVE THOUSAND TROOPS. RESPONSES OF THE STATES. THE CARNIVAL OF PATRIOTISM.

The Awakening.

THE collision at Sumter was the requiem of peace. The first announcement, to the North, by telegraph, thrilled and excited the people with the hopes and fears of battle; soon came the consciousness of the awful crime committed in the assault upon a United States garrison even before any act of offense had been offered, and the public heart bounded as with one mighty impulse to avenge the act. In a few brief hours partisan passions and political prejudices were swept away; as, when some appalling calamity visits a community all men become brothers, so all those loving the Union and the Constitution became associates in a common cause. The world never before witnessed such a solemn uprising. It was not more solemn than it was fearful. Nineteen millions of population swayed by one overpowering impulse—moved by one overmastering sympathy—stirred by one relentless

purpose!—the centuries never recorded such a spectacle, and truly the centuries may not record a struggle like that which came of the bombardment of Fort Sumter.

The Awakening.

The President found himself suddenly overwhelmed with congratulations at the policy inaugurated, and with offers of aid. The general apprehension that he had no power, [See Constitution, Art. I, Sec. 8,] without the consent of Congress, to call out troops and to initiate war, led the majority to insist that nothing could be done in the premises until Congress was convened. At the South the impression was general that, as the President had no power to call out the troops, none would be forthcoming to repress the revolution. Even up to the very hour of the responses to the Proclamation, (April 15th) the Southern people believed it impossible that a majority of Congressmen would fa-



the policy of "coercion:" how they misconceived the truth but a few days were necessary to demonstrate.

The President's Proclamation was not long withheld, and the public then learned that the Executive was vested with full powers to meet the emergencies.\* The

The Act of 1795.

unrepealed and unmodified Act of 1795, [see Vol. I. p.

6,] gave him all requisite authority to call an army and all its necessary consequents into the field, over which, as Commander-in-Chief, [see Constitution, Art. II. Sec. 2,] he could exercise supreme control. The Act gave the President power to call upon the militia in case of invasion, or imminent danger of invasion; in case of insurrection in any State against the laws thereof, if called upon by the Legislature or Executive of the State; and, finally, "whenever the laws of the United States shall be opposed, or the execution thereof obstructed, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the Marshals, in this act, it shall be lawful for the President of the United States to call forth the militia of such, or of any other State or States, as may be necessary to suppress such combinations, and to cause the laws to be duly executed; and the use of the militia so to be called forth, may be continued, if necessary, until the expiration of thirty days after the commencement of the then next session of Congress." The Act also requires that, when the President deems

\* The belief prevailed in Europe that our Executive was powerless to repress a rebellion. Thus, the *London News*—ever friendly to the cause of the North—in its issue of April 9th, said: "In Europe we cannot understand how it is that a Chief Magistrate is without what may be called an Executive; he is in authority, but has no authority to act promptly and energetically. *With us it would have been a word and a blow. Rebellion would have encountered opposition from the first moment of its raising its head, and the struggle would not terminate until the insurrection had been put down or had achieved a revolution.* In America it is different. There are so many Sovereign States, that there appears to be no compact with the measure of the law. The Republic is divided, outraged, insulted, but no action has been taken."

it necessary thus to resort to military force, he shall command the insurgents by proclamation to disperse within a limited time.

The manifesto of the Executive was as follows:

The Proclamation.

"By the President of the United States:

"A PROCLAMATION.

"Whereas, The laws of the United States have been for some time past and now are opposed, and the execution thereof obstructed, in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the Marshals by law:

"Now, therefore, I, ABRAHAM LINCOLN, President of the United States, in virtue of the power in me vested by the Constitution and the laws, have thought fit to call forth, and hereby do call forth, the Militia of the several States of the Union, to the aggregate number of 75,000, in order to suppress said combinations, and to cause the laws to be duly executed. The details for this object will be immediately communicated to the State authorities through the War Department.

"I appeal to all loyal citizens to favor, facilitate, and aid this effort to maintain the honor, the integrity, and the existence of our National Union and the perpetuity of popular government, and to redress wrongs already long enough endured.

"I deem it proper to say, that the first service assigned to the force hereby called forth, will probably be to repossess the forts, places and property which have been seized from the Union, and in every event, the utmost care will be observed, consistently with the objects aforesaid, to avoid any devastation, any destruction of, or interference with property, or any disturbance of peaceful citizens in any part of the country; and I hereby command the persons composing the combinations aforesaid, to disperse and retire peaceably to their respective abodes, within twenty days from this date.

"Deeming that the present condition of public affairs presents an extraordinary occasion, I do hereby, in virtue of the power in me vested by the Constitution, convene both Houses of Congress. The Senators and Representatives are therefore summoned to assemble at their respective chambers at twelve o'clock, noon, on Thursday, the fourth day of July next, then and there to consider and determine such measures as, in their wisdom, the public safety and interest may seem to demand.

"In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.



hand and caused the seal of the United States to be affixed.

"Done at the city of Washington, this fifteenth day of April, in the year of our Lord one thousand eight hundred and sixty-one, and of the independence of the United States the eighty-fifth.

"ABRAHAM LINCOLN:

"By the President,

"WILLIAM H. SEWARD, Sec. of State."

The Requisitions upon  
the States.

This was immediately followed by the requisitions of the War Department upon the Governors of the still loyal States for the troops, apportioning the quotas of each. This document read:

"WAR DEPARTMENT,  
WASHINGTON, April, 1861."

"SIR: Under the act of Congress 'for calling forth the militia to execute the laws of the Union, suppress insurrection, repel invasion,' &c., approved February 28th, 1795, I have the honor to request your Excellency to cause to be immediately detached from the militia of your State the quota designated in the table below, to serve as infantry or riflemen for the period of three months, unless sooner discharged.

"Your Excellency will please communicate to me the time at or about which your quota will be expected at its rendezvous, as it will be met, as soon as practicable, by an officer or officers to muster it into the service and pay of the United States. At the same time the oath of fidelity to the United States will be administered to every officer and man.

"The mustering officer will be instructed to receive no man under the rank of commissioned officer who is in years apparently over forty-five, or under eighteen, or who is not in physical strength and vigor."

Response of the  
States.

The responses to this call were almost immediate, in the heaviest States. Ohio, Pennsylvania, New York and Massachusetts, all had anticipated the worst, and had partially prepared for it by legislative action, in placing their militia in a state of readiness. The responses from the Border Slave States, viz.: North Carolina, Virginia, Kentucky, Tennessee, Missouri and Arkansas, came in by April 20th. In every instance their Governors refused to answer the requi-

sition—characterizing the call as illegal and unconstitutional. North Carolina, Tennessee and Virginia, coupled threats of open resistance to any attempt at coercion.

It would not be possible, in the compass of an ordinary octavo, to tell the

The Carnival of  
Patriotism.

story of military and popular demonstrations which soon became the one absorbing fact throughout the entire North. Each section seemed to vie in patriotism and devotion. In Public assemblages everywhere testified in their corporate capacities, to assure Government of their support. Subscriptions to the Treasury were volunteered to an amount which soon reached many millions of dollars. Local arrangements were made for the care of the families of those who should enter the ranks. In almost numberless instances, employers gave notice that the pay of those in their service, who enlisted, should not be intermitted during the three months' military duty. American flags floated from house-tops, windows and doors—were used as decorations in parlors, offices, shops and stores—ornamented the heads of horses in the street—flew by upon every locomotive—fluttered from every mast-peak. It seemed as if expressions of patriotism never would have an end; for where flags could not be used, as on the persons of men, women and children, "Union badges," red, white and blue rosettes, and the National shield, came into requisition. "Young America" flew to drums, fifes, swords, and military caps—schools, for the while, being almost deserted for the parade ground, or to witness the daily passage of troops on their hurried way to the South. The tocsin sounded from the pulpit, from the press, from the forum: the most apathetic "conservative" must have loved treason well to have withstood their flood of commingled argument, invective, and calls to duty.

It was, indeed, a carnival of patriotism which the spirits of the Fathers of the Republic must have contemplated with sublime emotions. It was the marriage of the heart of '76 with the soul of '61.



# HISTORICAL SUMMARY OF EVENTS.—N<sup>o</sup>. 4.

FROM APRIL 16<sup>TH</sup>, TO JULY 4<sup>TH</sup>, 1861.

*April 16.*—The excitement in the North increasing. Great satisfaction expressed by all classes at the course of the Administration. The Governors of the Free States respond with alacrity to the Proclamation by taking immediate steps to comply. Offers of money begin to flow in upon the Government from banks, wealthy individuals, cities and corporate companies.

—Governor Magoffin refuses to furnish Kentucky's quota of troops called for by the President. He writes an offensive reply to the call.

—Governor Letcher, of Virginia, refuses to comply with the call for troops. He writes a treasonable letter to the President, and proclaims that Virginia will arm for defense.

—Governor Harris, of Tennessee, refuses to comply with the call. He assumes that Tennessee will repel all attempts at coercion.

—Governor Jackson, of Missouri, refuses to comply with the call. His reply is highly offensive and treasonable.

—The Confederate Government issues a proclamation calling for 32,500 troops—making 75,000 in all called out by President Davis. Great exertions are making by the rebel War Department to place its troops rapidly in the field in Virginia.

—Fort Pickens reenforced and re-provisioned by the United States' transports, which sailed from New York, April 8–10th. The fort is now pronounced safe from all attempts to carry it by bombardment or assault. General satisfaction is expressed at this announcement.

—Several military companies reach Washington from Pennsylvania, in answer to the President's call. They are the first on the roll of honor.

*April 17.*—The Sixth Massachusetts regiment of State militia is the first complete regiment to respond to the requisition for troops, and starts for Washington by railway this evening. The Fourth Massachusetts is on the point of starting.

—The Virginia State Convention passes an ordinance of secession, in secret session—vote 60 to 53. Governor Letcher, of that State, recognizes the independence of the Southern Confederacy, by proclamation.

*April 18.*—Major Anderson reaches New York in the transport *Baltic*. He is received with great acclamation, and becomes the hero of the day.

—More Pennsylvania troops reach Washington, including an artillery company. The Sixth Massachusetts regiment—over 1,000 strong—pass through

New York. It has an imposing reception by the people. The Fourth Massachusetts soon follows.

—The steamer *Star of the West*, a transport sent for the troops disbanded by General Twiggs, in Texas, is seized at Indianola, and taken into New Orleans. Its crew is sent North.

—The Treasury Department at Washington orders no clearances for any port south of Maryland. All coast commerce therefore ceases.

*April 19.*—Harper's Ferry armory and public store houses are fired by the Government Guard to prevent them from falling into the hands of the revolutionists. The garrison, under Lieutenant Jones, makes a night march through Maryland to Carlisle Barracks.

—Attack on the Massachusetts Sixth regiment by the mob of Baltimore. Two of the troops killed, and eleven wounded—one mortally. Eleven of the mob killed, and four wounded. The city all in arms. Governor Hicks informs the President that no more troops can pass through Baltimore without fighting their way. Railway track torn up and bridges destroyed on the Philadelphia road. The Fourth Pennsylvania regiment in Baltimore, *en route* for Washington, is assailed and compelled to disband, being unarmed. The troops return to Philadelphia, where the New York Seventh regiment soon arrives. The route *via* Baltimore being thus impracticable, transports are furnished, and the troops, after a day's delay, pass on to Washington by Annapolis.

—The President of the United States announces a blockade of the ports in all rebellious States.

*April 20.*—Immense Union demonstration in New York City. Sixty thousand citizens of all parties and classes participate.

—The Gosport Navy Yard burned. Property to the amount of about eleven millions of dollars destroyed, by order of the Commanding-officer, Commodore Macauley. Much of the property—including 1,500 guns of various calibre—was afterwards rescued from fire and water by the revolutionists, and furnished them with valuable guns for their batteries and defenses.

—Branch Mint at Charlotte, North Carolina, seized by the revolutionists. John C. Breckenridge makes a treasonable speech at Louisville.

—Bridges on the Northern (Maryland) Railroad burned. Arsenal at Liberty, Missouri, seized. Mob law prevailing in Baltimore. Volunteers rapidly concentrating at Philadelphia. Fortress Monroe reenforced and placed beyond danger of seizure.



*April 21.*—The United States War Department takes possession of the Philadelphia and Baltimore Railroad, and proceeds to repair it for military use.

—Thousands of "war sermons" preached in Northern cities. The clergy are almost unanimously patriotic and loyal. The effect on the public mind is highly inspiring.

*April 22.*—United States arsenals seized at Fayetteville, North Carolina, and at Napoleon, Arkansas. Great appropriations of funds by city authorities to aid in equipping troops. Great Union demonstration in Lexington, Kentucky,—which State is pronounced to be for the Constitution and the Union, in spite of Breckenridge's defection.

—The Vermont Legislature assembles in extra session to provide for the emergencies of war. The Massachusetts Sixth regiment lands at Annapolis, and immediately seizes the railway to Washington. The Annapolis Naval School disorganizes—the New York Seventh, occupying its grounds. The old ship *Constitution* is saved from seizure.

*April 23.*—Martial law is proclaimed in Baltimore. Governor Hicks, of Maryland, protests against the occupation of Annapolis.

—The First South Carolina regiment starts for the North.

—Troops from Georgia and Mississippi are under orders for Virginia.

*April 24.*—Fort Smith, in Arkansas, seized. Extra session of the Kentucky Legislature called. No fears apprehended that Governor Magoffin can affect its loyalty.

*April 25.*—Major Sibley, of the United States' Army, surrenders 450 troops to the rebels, "upon demand," at Saluria, Texas. Fort Smith, in Arkansas, seized by a force of cut-throats under Solon Borland.

—The New York Seventh regiment reaches Washington. It is received with great joy, and the Capital is regarded as safe.

—Virginia "annexed" to the Southern Confederacy, by proclamation of Governor Letcher. The people have had no voice in the matter.

—United States Senator Douglas declares for the Union, and the enforcement of the laws. He takes strong grounds in support of the Administration.

*April 26.*—Governor Brown, of Georgia, prohibits the payment of debts due to citizens of the Free States, ordering the amounts due to be paid into the State Treasury. North Carolina Legislature called in extra session. More bridges burned in Maryland, by the secessionists. Large numbers of secessionists passing into Virginia from Maryland. Governor Burton, of Delaware, issues his call for troops in response to the President's proclamation.

*April 27.*—The President issues a supplementary proclamation, announcing the blockade of ports in Virginia and North Carolina. Twenty-one thousand troops reported to be in Washington. The rebels are concentrating forces to menace Washington, which thus becomes the strategic point. General Scott in full command of the United States forces.

*April 29.*—Maryland declares against secession by a strong vote in its Legislature. Three steamers seized in New Orleans, by the rebels. The Collector's office at Nashville, Tennessee, seized.

—The Confederate Congress meets in extra session.

—Indiana votes \$500,000 to arm its troops, and to provide for the defense of the State.

*May 1.*—State Convention bill passes the North Carolina Legislature. Rhode Island Legislature meets. That State is pronounced "loyal to the core."

*May 2.*—Judge Campbell, of Alabama, one of the United States Supreme Court Judges, resigns. Judge Catron, of Tennessee, and Judge Taney, of Maryland, still retain seats on the Supreme Bench.

*May 3.*—The President of the United States issues a second call for troops, viz: 42,000 additional volunteers "to serve for three years, or for the war;" 22,000 additional regulars; 18,000 additional seamen. This will give the Union an army of 176,000 men.

—The Connecticut Legislature votes \$2,000,000 for war purposes.

*May 4.*—Meeting at Cleveland, Ohio, of the Governors of Western and Middle States to concert plans for a co-operation. Committee of the Maryland Legislature visit Mr. Lincoln to learn his purposes.

*May 5.*—Brigadier-General Butler in possession of the Relay House station, Maryland. This serves as a menace to the Maryland mob and secures direct railway communication with Washington.

—Expiration of the "day of grace" allowed by President Lincoln for those in rebellion to return to their allegiance.

—The Confederate Congress formally declares war as existing with the United States.

*May 6.*—Virginia admitted to the Southern Confederacy—seventeen days prior to the day on which the people of that State are permitted to vote on the Ordinance.

—The Arkansas State Convention passes an Ordinance of Secession. Vote 69 to 1. The Ordinance is not to be submitted to the people.

—The Confederate Government proclaims the War and Privateer act.

—The Kentucky Legislature meets in extra session.

—The Tennessee Legislature pass a "declaration of independence," which is to be submitted to a vote of the people, June 8th.

*May 7.*—Governor Harris, of Tennessee, announces a "league" with the Confederate States. It throws the State under control of the Confederate army, and awes the Unionists into submission. Union sentiments soon become treasonable.

—Michigan Legislature meets.

*May 8.*—The Governor of Ohio calls for 100,000 troops to be held as a militia reserve, organized and ready for service.

*May 9.*—First landing of Federal troops in Baltimore (by steamers) since the 19th of April.

—The Confederate Congress authorizes President Davis to accept *all* volunteers that offer, in regiments, battalions, companies or singly.

*May 10.*—Major-General Robert E. Lee, of Virginia—late Colonel in the United States army—placed in command of the army of Virginia.

—The mob in St. Louis attack the Government recruits, who fire into the crowd, killing seven of the rioters. General Lyon, in command at St. Louis, surrounds and compels the surrender of a brigade



of Secessionists, encamped near St. Louis. The Winans steam gun captured near the Relay House, Maryland, on its way into Virginia.

**May 11.**—Government troops in St. Louis again assailed in St. Louis. Four of the mob killed. Immense Union demonstration in San Francisco.

—Charleston harbor blockaded by the United States steam frigate *Niagara*.

**May 13.**—Federal Hill in Baltimore occupied by Brigadier-General Butler. It commands the entire city. This occupation finally opened the route to Washington for the passage of troops, stores, &c.

—A Convention assembles at Wheeling, Virginia, composed of delegates from thirty-five counties. It repudiates the act of secession and proposes a division of the State on the line of the Blue Ridge Mountains.

—Blockade of the Mississippi River established at Cairo. All mails stopped.

—The Queen of England issues a proclamation of neutrality. (See Appendix, Vol. II.)

**May 14.**—The Maryland Legislature adjourns, having taken little or no action on National affairs.

—Governor Hicks, of Maryland, issues a call for the Maryland quota of troops for the United States service. Large seizures of arms in Baltimore by the United States troops. Ross Winans arrested and sent to Fort McHenry.

**May 15.**—Massachusetts Legislature offers to loan the Federal Government seven millions of dollars.

—The Wheeling (preliminary) Convention adjourns. The permanent "provisional" Convention is to assemble June 12th.

**May 16.**—Brigadier-Generals Butler and McClellan made Major-Generals. Harper's Ferry is fortified by the rebels, and bridges on the Baltimore and Ohio Railroad are destroyed.

**May 17.**—All communication by letters, expresses or otherwise, with the South, prohibited.

—The Slave-trader yacht *Wanderer* (rebel) captured off Key West.

**May 18.**—Arkansas admitted to the Southern Confederacy.

—The first naval operation of the war. The United States gunboats dislodge a rebel battery at Sewall's Point, Virginia.

**May 20.**—Governor Magoffin proclaims Kentucky's "neutrality," and forbids *any* troops to occupy her soil, but her own State Guards.

—General seizure of telegraphic dispatches throughout the North, by the Government. It "spots" a great many disunionists, and gives a clue to their designs.

**May 21.**—The North Carolina State Convention adopts an Ordinance of Secession. The Confederate Congress adjourns to July 20th, having passed all necessary acts to empower the Confederate Executive to prosecute the war. It also authorized the seat of Government to be transferred to Richmond. Among its acts was one providing for the issue of Treasury Notes, and one to compel the payment, into the Confederate treasury, of all debts due to Northern creditors by citizens or corporations in the Confederacy.

**May 24.**—The Federal army at daylight moves into Virginia, occupying Arlington Heights and

the line of the Potomac from Alexandria to Georgetown. Colonel Ellsworth assassinated in an Alexandria hotel. The assassin bayoneted on the spot. Portion of a rebel cavalry company captured. This onward movement gives great satisfaction to the loyal States. It relieves the Capital from danger of a bombardment. Butler moves his troops out of the Fortress Monroe and occupies Virginia soil.

**May 26.**—Western Virginia, at a vote ordered for delegates to the Provisional-Government Convention, declares overwhelmingly for the Union.

**May 27.**—Major-General Butler, in command at Fortress Monroe, receives over one hundred runaway negroes, and refuses to give them up to their rebel masters, declaring them to be "contraband of war." His decision was sustained by the War Department and approved by the President.

—Chief-Justice Taney, of the United States Supreme Court, issues a *habeas corpus* writ for the person of one John Merryman, a Baltimore mob ring-leader, confined by General Cadwalader, in Fort McHenry. The General refuses to comply with the writ, by denying the United States Marshal entrance to the Fort. This case afterwards became a precedent for other seizures of persons charged with treason, and greatly excited the class of citizens who believed in making the military subsidiary to the civil power. The seizures though arbitrary were justified by the people.

—Mobile is blockaded by Federal vessels of war.

**May 28.**—Savannah blockaded. Newport News, Virginia, occupied by Federal troops.

**May 29.**—Jefferson Davis reaches Richmond. He makes a violent harangue in response to the crowd. June 1st he addressed the people, characterizing Lincoln as "an ignorant usurper."

**May 30.**—N. P. Banks and John C. Fremont commissioned Major-Generals in the United States Army.

—Grafton, Virginia, in possession of the Union troops, under Colonel Kelly.

**May 31.**—The gunboat *Freeborn*, Captain Ward, attacks the rebel batteries at Acquia Creek. Batteries silenced. Gallant dash of Lieutenant Tompkins with seventy-five mounted men into the enemy's lines at Fairfax Court House. Union loss one killed, one missing and four wounded. Rebel loss ten killed, a number wounded and five brought away prisoners. Captain Lyon commissioned Brigadier-General, and supercedes Harney in Missouri.

**June 3.**—Battle of Phillippi, Virginia. The Ohio and Indiana volunteers route the rebels and secure tents, stores, &c. Colonel Kelly, of the First Virginia, in command of the Federals, is seriously wounded. Rebel loss sixteen killed, ten prisoners. Federal loss two killed, seven wounded.

—Senator Douglas dies at Chicago.

—Border State Convention assembles at Frankfort, Kentucky. A very slender attendance.

—General Beauregard assumes command of the Confederate army: head-quarters at Manassas Junction, which is being rapidly fortified upon an extensive scale. Centreville is also being fortified by the rebels.

**June 6.**—The gunboat *Harriet Lane* engages the rebel batteries at Pig Point, Virginia, with little result. Five of her crew wounded.

**June 8.**—The North Carolina Convention ratifies the Confederate Constitution.



—Major-General Patterson advances from Chambersburg toward Harper's Ferry *via* Hagerstown.

*June 10.*—Battle at Big Bethel, Virginia. The Federalists forced to retire before Magruder's strongly-intrenched position, after an obstinate but badly conducted attack. Union forces commanded by Brigadier-General Pierce, of Massachusetts. Union loss : killed fourteen, wounded forty-nine, and five missing. Among the killed were the gallant Lieutenant Greble, of the United States regular artillery, and Major Theodore Winthrop, Aide-de-camp to Major-General Butler—a brilliant officer. Rebel loss : none killed, nine wounded. The Federals numbered (engaged) about four thousand — the rebels eleven hundred and sixty-five.

—Major-General Banks assumes command of the Department of Annapolis.

*June 11.*—The rebels, six hundred strong, driven out of Romney, Virginia, by the Indiana Zouaves, under command of Colonel Lewis Wallace. Union loss none, Confederate loss two killed. Considerable plunder was secured, and the rebels given a great scare. It was a bold affair.

—The Wheeling Constitutional Convention assembles. Over forty counties are represented, most of them fully.

*June 13.*—Day of fasting and prayer in the Confederate States.

*June 14.*—The rebels evacuate Harper's Ferry, having first destroyed by fire and powder all the public works at that place, including the fine railroad bridge over the Potomac and an immense quantity of locomotives, cars and railway property at Martinsburg. They also destroyed bridges at several points above and below the Ferry.

*June 15.*—General Lyon occupies Jefferson city, Missouri. The rebel force, under General Sterling Price, gathering at Boonville.

*June 16.*—Skirmish at Seneca Mills. Rebel loss three killed.

*June 17.*—The Wheeling Convention unanimously votes the independence of Western Virginia, and resolves upon a separate State organization.

—Another mob attack in St. Louis on Government troops. Six of the rioters killed.

—The rebels at Vienna, Virginia, fire into a railroad train from a masked battery, killing eight Federal troops.

—Battle of Boonville, Missouri. General Lyon routs the rebels under General Price and Governor Jackson. Large quantity of arms, horses, &c., captured. Rebel loss fifteen killed, nineteen wounded. Union loss four killed, nine wounded.

*June 18.*—Skirmish at Edwards' Ferry. Union loss one killed. Rebel loss not known.

—Skirmish at Cola, Missouri. The Union Home Guards overcome with a loss of fifteen killed, forty wounded and taken prisoners. The rebels were in strong force. The Guards were only partially armed.

*June 19.*—The Wheeling Convention reorganizes the Provisional State Government of Virginia. Capture of thirty-five rebels at Liberty, Missouri, by the Unionists. The rebels occupy Piedmont, Virginia.

*June 20.*—Major-General McClellan assumes field command in Western Virginia. The Wheeling Convention elects Frank H. Pierpont Governor of Vir-

ginia. Daniel Palsly elected Lieutenant-Governor. Both are strong Union men.

*June 23.*—Enormous destruction of property of the Baltimore and Ohio Railroad, at Martinsburg, Virginia, by the rebels. Forty-eight locomotives, shops, machinery, &c., broken up and fired.

*June 24.*—Governor Harris, of Tennessee, proclaims the State out of the Union, declaring the recent vote to have been : *for* secession, 104,019 ; *against* secession, 47,238. The Virginia vote on the question of secession is announced as : *for* secession, 128,884 ; *against* secession, 32,134. The election both in Tennessee and Virginia was a mere mockery, done under Confederate bayonets.

*June 15.*—The Iowa Legislature votes a war loan of \$600,000.

*June 26.*—The Government instituted by the Wheeling Convention acknowledged by the President of the United States as the *de facto* Government of Virginia.

—Scout skirmish at Patterson's Creek, Virginia. Rebels routed. Rebel loss eight killed out of forty-one. Union loss one killed. The Union scouts numbered only thirteen, belonging to Colonel Wallace's Indiana Zouaves.

*June 27.*—Marshal Kane, of Baltimore, arrested by order of Major-General Banks, and confined in Fort McHenry, on a charge of treason. Colonel Kenly appointed Provost Marshal of the city. Intense excitement prevailing among the Secessionists.

—Engagement with the rebel batteries at Mathias Point, Virginia, by the gunboats *Pawnee* and *Freeborn*. Captain Ward, of the latter, is killed in an attempt to land, and eight seamen of the small boat wounded. Captain Ward was a gallant and efficient commander. Enemy's loss not known.

—A large Convention assembles at Knoxville, East Tennessee. It adopts a declaration protesting against the acts of usurpation by which the State was thrown into the arms of the Southern Confederacy ; and assuming that the State was still in the Union.

*June 28.*—Skirmish at Falls Church, Virginia. One Unionist killed and two rebels. Skirmish at Shooters Hill, Virginia. One Unionist killed, two rebels killed and seven wounded.

*June 29.*—Grand council of war in Washington.

*July 1.*—Arrest in Baltimore of four Police Commissioners, by order of Major-General Banks. Escape of the privateer *Sumter* from the Mississippi river. Engagement at Buckhannon, Virginia. The rebels routed. Rebel loss twenty-three killed and wounded and two hundred prisoners. Skirmish at Farmington, Missouri. Rebel loss five killed and two prisoners.

*July 2.*—General Patterson's advance divisions cross (by wading) the Potomac at Williamsport. An engagement follows. The rebels under Jackson are routed and pursued for two miles. They left eight dead upon the field. Union loss three killed and fifteen wounded. This engagement is variously called the battle of Martinsburg, Hokes Run, and Haynesville.

—The new Virginia Legislature organized at Wheeling.

*July 3.*—A company of (ninety four) rebels captured at Neosho, Missouri.



# DIVISION IV.

## CHAPTER I.

PROOFS OF THE DESIGN TO "COERCE" THE UNITED STATES.  
DAVIS' CALL FOR MORE TROOPS. THE PRIVATEER PROCLAMATION. LINCOLN'S COUNTER-PROCLAMATION OF BLOCKADE AND PIRACY. ON TO WASHINGTON! VIRGINIA'S MOVEMENTS. LETCHER'S TREASON. HIS "RECOGNITION" OF THE SOUTHERN CONFEDERACY. THE VIRGINIA ORDINANCE OF SECESSION.

The Federal Government to be Coerced.

THE proclamation of Mr. Lincoln was construed, in the Southern States, as a declaration of war. Prior to its appearance, however, the Confederate Government was making every effort to "prosecute a quick campaign." The hesitating Border States could only be won by vigorous action; and, now that the first assault had been made, it was determined to force the United States Government into a virtual, if not actual, recognition of the Southern Confederacy. That this "coercion" of the Union was determined upon *before* the call of the Federal Executive for troops, is manifest in the declaration made by the Confederate Secretary of War, on the evening of Friday, April 12th. In answer to a serenade in honor of the bombardment of Sumter, the Secretary said, in substance, that the Confederate flag would wave over the dome of the Capitol at Washington by May 1st—a sentiment which, the telegraph report informed the public, was received with unbounded enthusiasm.

The idea of granting letters of marque and reprisal, the act of confiscation and appropriation of debts due the North, the constructive treason in entertaining Union sentiments, the creation of a Southern navy and a fleet of privateers—these and many oth-

er offensive schemes were matured, there is good reason to state, *prior* to the

bombardment of Fort Sumter. How steeped in hypocrisy, then, must have been the Southern leaders who called heaven and earth to witness that they were guiltless of the great crime of civil war! It was not an act of war to bombard a United States fort, to persecute and outlaw its citizens, to scorn and condemn the Federal Government; it was a Southern *right* to treat Uncle Sam as the Southerners saw fit; and any Federal act of resentment, of defense, of protection, the impious scoundrels who proclaimed revolution presumed to treat as the first step towards civil war! We cannot discover in the whole page of history a pusillanimity so great, a sense of honor so perverted, an hypocrisy so contemptible. Unlike the open and fair rebel, who, defying the restraints of authority, appealed to arms to decide the issue, the Confederate whined over the contest his crimes had provoked; and through all the bloody drama on which *he* raised the curtain, he did not fail to illustrate that most contemptible form of human nature typified in Aminadab Sleek.

The Federal Government to be Coerced.

*Intimidation* was a part of the scheme arranged, at an early moment, to *compel* the



Union Administration to terms. When the secret archives — if such archives, indeed, have been allowed to exist — of the peripatetic Government of Jefferson Davis are explored, and the truth is told, it will, unquestionably, be found that the scheme of *forcing* the United States to accept the conditions of settlement proposed by the South, was matured months *before* the attack on Sumter, and only awaited some act on the part of the Washington authorities, to excuse to their people the final appeal to arms.

The Confederate Government made a second Davis' Second Levy. levy upon the Seceded States for troops, April 16th, calling for thirty-two thousand men—thus giving, with previous enlistments, a force equal to that called into the field by the Federal authorities.

April 17th, the Letters of Marque and Reprisal Proclamation was made public. It read as follows :

The Privateer Proclamation. “Whereas, Abraham Lincoln, the President of the United States, has, by proclamation, announced the intention of invading this Confederacy with an armed force, for the purpose of capturing its fortresses, and thereby subverting its independence, and subjecting the free people thereof to the dominion of a foreign power ; and *whereas*, it has thus become the duty of this Government to repel the threatened invasion, and to defend the rights and liberties of the people, by all the means which the laws of nations and the usages of civilized warfare place at his disposal :

“ Now, therefore, I, Jefferson Davis, President of the Confederate States of America, do issue this my Proclamation, inviting all those who may desire, by service in private armed vessels on the high seas, to aid this Government in resisting so wanton and wicked an aggression, to make application for commissions or Letters of Marque and Reprisal, to be issued under the Seal of these Confederate States.

“ And I do further notify all persons applying for Letters of Marque, to make a statement in writing, giving the name and a suitable description of the character, tonnage, and force of the vessel, and the name and place of residence of each owner concerned therein, and the intended number of the crew, and to sign said statement, and deliver the same to the Secretary of State, or to the Collector of any port of entry of these Confederate States, to be by him transmitted to the Secretary of State.

“ And I do further notify all applicants aforesaid, that before any commission or Letter of Marque is issued to any vessel, the owner or owners thereof, and the commander for the time being will be required to give bond to the Confederate States, with at least two responsible sureties, not interested in such vessel, in the penal sum of five thousand dollars ; or if such vessel be provided with more than one hundred and fifty men, then in the penal sum of ten thousand dollars, with condition that the owners, officers, and crew who shall be employed on board such commissioned vessel, shall observe the laws of these Confederate States, and the instructions given to them for the regulation of their conduct. That they shall satisfy all damages done contrary to the tenor thereof by such vessel during her commission, and deliver up the same when revoked by the President of the Confederate States.

“ And I do further specially enjoin on all persons holding offices, civil and military, under the authority of the Confederate States, that they be vigilant and zealous in discharging the duties incident thereto ; and I do, moreover, solemnly exhort the good people of these Confederate States, as they love their country, as they prize the blessings of free government, as they feel the wrongs of the past and these now threatened in aggravated form by those whose enmity is more implacable because unprovoked, that they exert themselves in preserving order, in promoting concord, in maintaining the authority and efficacy of the laws, and in supporting and invigorating all the measures which may be adopted for the common defense, and by which, under the blessings of Divine Providence, we may hope for a speedy, just, and honorable peace.

“ In testimony whereof, I have hereunto set my hand, and caused the Seal of the Confederate States to be affixed, this *seventeenth* day of April, 1861.

“ By the President,

“ (Signed) JEFFERSON DAVIS.

“ R. TOOMBS, Secretary of State.”

This was expected by the enterprising spirits of the South. It was put forth to inflict injury of magnitude upon the high seas' commerce of the Northern States—conceiving their commerce to be their most vulnerable point. Leading journals in the South had often recurred to it as a certain step in event of hostilities. Although Southern men, from the time of John Randolph, had characterized the “Yankees” as a race of money-getters, and, in contrast, had exalted



the patriotic, high-toned character of their own fellow-citizens, visions of suddenly though dishonorably acquired wealth dazzled the Southern sight, and did not fail to render a large class very hopeful and happy for the moment. It would offer matter for not very complimentary comment to quote the terms of the various notes of commendation bestowed by the secession press upon the Privateer Proclamation. The amendatory action of the Confederate Congress, which afterward affixed a price *per capita* on Union men, live and dead, taken on the high seas, will not enhance the good reputation of the men who promulgated the act, and the people who hoped to profit by it.

Lincoln's Counter  
Proclamation of  
Blockade and Piracy.

But, all this dream of wealth to be had for the mere "seizing," was cut short by the Proclamation of Blockade, issued April 19th, by the President of the United States. It was a checkmate to King Stork, even before the board could be opened:

"Whereas, an insurrection against the Government of the United States has broken out in the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, and the laws of the United States for the collection of the revenue cannot be efficiently executed therein, conformably to that provision of the Constitution which requires duties to be uniform throughout the United States:

"And whereas, a combination of persons, engaged in such insurrection, have threatened to grant pretended *letters of marque*, to authorize the bearers thereof to commit assaults on the lives, vessels, and property of good citizens of the country lawfully engaged in commerce on the high seas, and in waters of the United States:

"And whereas, an Executive Proclamation has been already issued, requiring the persons engaged in these disorderly proceedings to desist therefrom, calling out a militia force for the purpose of repressing the same, and convening Congress in extraordinary session to deliberate and determine thereon:

"Now, therefore, I, Abraham Lincoln, President of the United States, with a view to the same purposes before mentioned, and to the protection of the public peace, and the lives and property of quiet and orderly citizens pursuing their lawful occupations, until Congress shall have assembled and deliberated on the said unlawful proceedings, or until the same shall have ceased, have further deemed it advisable to set on foot a blockade of the

ports within the States aforesaid, in pursuance of the laws of the United States, and of the

Lincoln's Counter  
Proclamation.

laws of nations in such cases provided. For this purpose a competent force will be posted so as to prevent entrance and exit of vessels from the ports aforesaid. If, therefore, with a view to violate such blockade, a vessel shall approach, or shall attempt to leave any of the said ports, she will be duly warned by the Commander of one of the blockading vessels, who will indorse on her register the fact and date of such warning; and if the same vessel shall again attempt to enter or leave the blockaded port, she will be captured and sent to the nearest convenient port, for such proceedings against her and her cargo, as prize, as may be deemed advisable.

"And I hereby proclaim and declare, that if any person, under the pretended authority of said States, or under any other pretense, shall molest a vessel of the United States, or the persons or cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy.

"By the President, ABRAHAM LINCOLN.

"WILLIAM H. SEWARD, Sec. of State.

"WASHINGTON, April 19th, 1861."

No time was lost in enforcing this important measure, though the paucity of vessels available for purposes of blockade, rendered it a work of many months to seal up the rebellious ports over the vast and intricate coast line, stretching from Hampton Roads to Brownsville.

Prior to the publication of this order of blockade, Virginia had plunged into the vortex of the revolution and stood arrayed against the Union—thus directly menacing Washington. The Capital and Government archives were in imminent danger of seizure. Ben McCullough flitted back and forth between Richmond and Baltimore, organizing his cut-throat brigade for the desperate service. It became whispered abroad that Maryland was to "co-operate," and thus the more effectually to isolate the District of Columbia. The plot only awaited the secession of Virginia for its development. That such a scheme existed has been denied by some writers in the interest of secession; but numerous evidences attest the existence and the maturity of the conspiracy for occupying Washington, there to inaugurate the Montgomery Government, Departments and

On to Washington.



On to Washington. Congress—a *coup-de-maitre* which certainly would have given the Southern movement an alarming temporary ascendancy. The cry at the South was—"On to Washington!"

At once to illustrate the fact here stated, and to show the spirit in which the revolutionists saw proper to approach the subject, we may reproduce one of the almost numberless newspaper paragraphs designed to inflame the passions of their people. The *Richmond Examiner*, edited by John M. Daniels—Mr. Buchanan's *charge* to Turin—in its issue of April 23d, contained this article:

• "THE CAPTURE OF WASHINGTON.

"The capture of Washington City is perfectly within the power of Virginia and Maryland, if Virginia will only make the effort by her constituted authorities; nor is there a single moment to lose. The entire population pant for the onset; there never was half the unanimity among the people before, nor a tithe of the zeal, upon any subject, that is now manifested to take Washington, and drive from it every Black Republican who is a dweller there.

"From the mountain tops and valleys to the shores of the sea, there is one wild shout of fierce resolve to capture Washington City, at all and every human hazard. The filthy cage of unclean birds must and will assuredly be purified by fire. The people are determined upon it, and are clamorous for a leader to conduct them to the onslaught. That leader will assuredly arise, aye, and that right speedily.

"It is not to be endured that this flight of Abolition harpies shall come down from the black North for their roosts in the heart of the South, to defile and brutalize the land. They come as our enemies—they act as our most deadly foes—they promise us bloodshed and fire, and this is the only promise they have ever redeemed. The fanatical yell for the immediate subjugation of the whole South, is going up hourly from the united voices of all the North; and for the purpose of making their work sure, they have determined to hold Washington City as the point from whence to carry on their brutal warfare.

"Our people can take it—they will take it—and Scott the arch-traitor, and Lincoln the Beast, combined, cannot prevent it. The just indignation of an outraged and deeply injured people will teach the Illinois Ape to repeat his race and retrace his journey across the borders of the Free negro States still more rapidly than he came; and Scott, the traitor, will be given an opportunity at the same

time to try the difference between 'Scott's' tactics and the Shanghai drill for quick movements.

"Great cleansing and purification are needed and will be given to that festering sink of iniquity, the wallow of Lincoln and Scott—the desecrated City of Washington; and many indeed will be the carcasses of dogs and caitiffs that will blacken the air upon the gallows, before the great work is accomplished. So let it be."

The country was prepared for the reply which Governor Letcher, of Virginia, returned to the President's call for troops. The Virginia Convention, still in session, had accomplished nothing definite since the proceedings recorded in Chapter IV of this volume. The dispatch of supplies to Sumter much strengthened the Secessionists in the Convention, and the President was forthwith called upon for explanations, by a resolution adopted April 8th, appointing Wm. Ballar Preston, Alexander H. H. Stuart, and George W. Randolph "Commissioners" to wait upon Mr. Lincoln. The Unionists and some of the Conservatives of the Convention, opposed the resolution, as designed to precipitate secession, but they failed of a majority. The "Commissioners" called upon Mr. Lincoln, April 13th, presenting their resolution—which, with the President's patriotic reply, will here place on record:

"To Hon. Messrs. PRESTON, STUART, and RANDOLPH: Mr. Lincoln's Answer

"GENTLEMEN: As a committee of the Virginia Convention, now in session, you present me a preamble and resolution in these words:

" 'Whereas, in the opinion of this Convention, the uncertainty which prevails in the public mind as to the policy which the Federal Executive intends to pursue towards the Seceded States, is extremely injurious to the industrial and commercial interests of the country, tends to keep up an excitement which is unfavorable to the adjustment of the pending difficulties, and threatens a disturbance of the public peace; therefore,

" 'Resolved, That a committee of three delegates be appointed to wait on the President of the United States, present to him this preamble, and respectfully ask him to communicate to this Convention the policy which the Federal Executive intends to pursue in regard to the Confederate States.'

"In answer I have to say, that having, at the beginning of my official term, expressed my intention of pursuing the same policy as plainly as I was able, it is with deep

Virginia demanding  
Explanations.



gret and mortification I now learn there is great and injurious uncertainty in the public mind as to what that policy is, and what course I intend to pursue. Not having as yet seen occasion to change, it is now my purpose to pursue the course marked out in the Inaugural address. I commend a careful consideration of the whole document, as the best expression I can give to my purposes. As I then and therein said, I now repeat, 'The power confided in me will be used to hold, occupy, and possess property and places belonging to the Government, and to collect the duties and imports; but beyond what is necessary for these objects, there will be no invasion, no using of force against or among the people anywhere.' By the words 'property and places belonging to the Government,' I chiefly allude to the military posts and property which were in possession of the Government when it came into my hands. But if, as now appears to be true, in pursuit of a purpose to drive the United States authority from these places, an unprovoked assault has been made upon Fort Sumter, I shall hold myself at liberty to repossess it, if I can, like places which had been seized before the Government was dissolved upon me; and in any event I shall, to the best of my ability, repel force by force. In case it proves true that Fort Sumter has been assaulted, as is reported, I shall, perhaps, cause the United States mails to be withdrawn from all the States which claim to have seceded, believing that the commencement of actual war against the Government justifies and possibly demands it. I scarcely need to say that I consider the military posts and property situated within the States which claim to have seceded, as yet belonging to the Government of the United States as much as they did before the supposed secession. Whatever else I may do for the purpose, I shall not attempt to collect the duties and imposts by any armed invasion of any part of the country; not meaning by this, however, that I may not land a force deemed necessary to relieve a port upon the border of the country. From the fact that I have quoted a part of the Inaugural address, it must not be inferred that I repudiate any other part, the whole of which I reaffirm, except so far as what I now say of the mails may be regarded as a modification."

This answer left no doubt as to the President's mode of treatment of the Southern eruption, and the Commissioners returned home to report that—"Virginia's honor and interest alike demanded immediate secession, and unity with the Confederate States in a common cause."

Governor Letcher replied to the call for troops: "I have only to say that the militia of Virginia will not be furnished to the powers at Washington for any such use or purpose as they have in view. Your object is to subjugate the Southern States, and a requisition made upon me for such an object—an object, in my judgment, not within the purview of the Constitution or the Act of 1795—will not be complied with. You have chosen to inaugurate civil war, and having done so, we will meet it in a spirit as determined as the Administration has exhibited towards the South." This piece of treason and threat only anticipated the Secessionists in their now hurried action. It assumed an open antagonism to the Federal authorities—thus, at one sweep of the pen, virtually placing the State out of the Union, whether the people willed it or not. The following proclamation succeeded the answer to the Secretary of War:

Governor Letcher's  
Disloyalty.

"Whereas, seven of the States formerly composing a part of the United States have, by authority of their people, solemnly resumed the powers granted by them to the United States, and have framed a Constitution and organized a Government for themselves, to which the people of those States are yielding willing obedience, and have so notified the President of the United States by all the formalities incident to such action, and thereby become to the United States a separate, independent and foreign power; and whereas, the Constitution of the United States has invested Congress with the sole power 'to declare war,' and until such declaration is made, the President has no authority to call for an extraordinary force to wage offensive war against any foreign Power; and whereas, on the 15th instant, the President of the United States, in plain violation of the Constitution, issued a proclamation calling for a force of seventy-five thousand men, to cause the laws of the United States to be duly executed over a people who are no longer a part of the Union, and in said proclamation threatens to exert this unusual force to compel obedience to his mandates; and whereas, the General Assembly of Virginia, by a majority approaching to entire unanimity, declared at its last session, that the State of Virginia would consider such an exertion of force as a virtual declaration of war, to be resisted by all the power at the command of Virginia; and subsequently the Convention now in session, representing the sovereignty of this State,

Letcher's Proclamation.



has reaffirmed in substance the same policy, with almost equal unanimity; and whereas, the State of Virginia deeply sympathizes with the Southern States in the wrongs they have suffered and in the position they have assumed, and having made earnest efforts peaceably to compose the differences which have severed the Union, and having failed in that attempt, through this unwarranted act on the part of the President; and it is believed that the influences which operate to produce this Proclamation against the Seceded States will be brought to bear upon this Commonwealth, if she should exercise her undoubted right to resume the powers granted by her people, and it is due to the honor of Virginia that an improper exercise of force against her people should be repelled; therefore, I, John Letcher, Governor of the Commonwealth of Virginia, have thought proper to order all armed volunteer regiments or companies within the State forthwith to hold themselves in readiness for immediate orders, and upon the reception of this Proclamation to report to the Adjutant General of the State their organization and numbers, and prepare themselves for efficient service. Such companies as are not armed and equipped will report that fact, that they may be properly supplied.

"In witness whereof, I have hereunto set my hand and caused the seal of the Commonwealth to be affixed, this 17th day of April, 1861, and in the eighty-fifth year of the Commonwealth.

"JOHN LETCHER."

Against this high-handed tyranny the Unionists of the State were powerless; and under the pressure and terrorism of secession, the Convention quickly went through the farce of passing a Secession Ordinance, as follows, viz.:

Virginia's Ordinance  
of Secession.

*An "Ordinance to repeal the ratification of the Constitution of the United States of America, by the State of Virginia, and to resume all the rights and powers granted under said Constitution," which passed the State Convention on the 17th of April, 1861:*

"The people of Virginia, in the ratification of the Constitution of the United States of America, adopted by them in Convention, on the 25th day of June, in the year of our Lord one thousand seven hundred and eighty-eight, having declared that the powers granted under the said Constitution were derived from the people of the United States, and might be resumed whensoever the same should be perverted to their injury and oppression, and the Federal Government having perverted said powers,

not only to the injury of the people of Virginia, but to the oppression of the Southern Slaveholding States:

Virginia's Ordinance  
of Secession.

"Now, therefore, we, the people of Virginia, declare and ordain, that the ordinance adopted by the people of this State in Convention on the twenty-fifth day of June, in the year of our Lord one thousand seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and all acts of the General Assembly of this State ratifying or adopting amendments to said Constitution, are hereby repealed and abrogated; that the union between the State of Virginia and other States under the Constitution aforesaid, is hereby dissolved, and that the State of Virginia is in the full possession and exercise of all the rights of sovereignty which belong and appertain to a free and independent State. And they do further declare that said Constitution of the United States of America is no longer binding on any of the citizens of this State.

"This ordinance shall take effect and be in force from this day, when ratified by a majority of the votes of the people of this State, cast at a poll to be taken thereon, on the fourth Thursday in May next, in pursuance of a schedule hereafter to be enacted.

"Done in Convention in the city of Richmond, on the seventeenth day of April, in the year of our Lord one thousand eight hundred and sixty-one, and in the eighty-fifth year of the Commonwealth of Virginia.

"A true copy,

JNO. L. EUBANK,

"Secretary of Convention.

Thus was consummated the long-laboring for withdrawal of the "Old Dominion" from the Union wherein it had for years shone as the first star, but in which it was rapidly perishing, owing to the ascendancy of the more vigorous and equitably governed Free States. To say the act was an usurpation and an outrage upon the people is to repeat what the large majority of the resident population and land-owners sooner or later asseverated. What the action of the people of West Virginia in forming a new Government proclaimed; but, it was a step which would have been taken two months previously, had it not been for the unflinching front presented by the Unionists, [see page 245, Vol. I.] who were, at the last hour, only overruled by a system of terrorism, which forever maintained Virginia "chivalry" with the stigma of dishonor.



## CHAPTER II.

WASHINGTON IN DANGER. STATES' PATRIOTISM. THE RECORD OF MASSACHUSETTS. MARCH OF HER TROOPS. THE ASSAULT IN BALTIMORE. STATE OF PUBLIC FEELING. CORRESPONDENCE WITH THE PRESIDENT. OCCUPATION OF ANNAPOLIS.

The "First in the Field."

"On to Washington!" soon became the rallying cry throughout the North.

The mere intimation of the programme for seizing the Capital, filled all minds with a lively apprehension of the danger at hand, and hastened the movements of the military authorities of the several States. To Pennsylvania belongs the honor of having placed the first troops in Washington—six hundred reaching the Capital on the fourth day after the President's call. Massachusetts may, however, claim the credit for being "first in the field" with her regiments, as she was the first to suffer in the Union's cause. The readiness of the "Old Bay State" to meet the crisis is characteristic of the spirit of her people, and of the intelligence of her rulers. Foreseeing the coming conflict, a General order was issued as early as January 16th (1861), for placing the militia on a footing for service. April 1st the Legislature passed an act appropriating twenty-five thousand dollars for equipments and cartridges for two thousand troops. Over three thousand new Springfield (rifle) muskets were distributed. When the hour came it found Massachusetts prepared. "Forewarned, forearmed!" apparently was her motto. Adjutant-General Schouler, in his Report for 1861, says: "For three months previous to the attack on our volunteer militia, in anticipation of some great traitorous movement in the South, had been drilling almost nightly in their several armories, so that when the summons came from the President, the 'fieryross' was sent over the Commonwealth, and, in obedience to the call, men came forth as in the brave days of old, leaving the work-

shop and the plough, their nets and barges, homes and kindred, inspired by the love of country, and the rights of mankind."

To place on record the story of the gathering in Massachusetts, will illus-

Massachusetts' Record.

trate the spirit which animated her sons in embarking in the Union's defense; while the orders issued for the service, by the State Executive, show to mankind what energy and unflinching *Will* control that section of the Union, which it pleased certain Southern orators and writers to characterize as the abode of "mudsills" and "tinkers."\* We

\* Let us here refer to a special case. The leading organ of Southern Views and Pro-Slavery Polity was *De Bow's Review*. Its course, for the six years preceding 1860, was one of studied defamation of the North and its people. It prevaricated facts, falsified figures, misstated local and national issues, traduced character and motives, and, in short, devoted all the resources of a malignant mind, to develop the idea of Southern independence. How will the reader be astonished to learn that the *Review* was printed by Northern presses, and supported almost wholly by Northern patrons! It was ostensibly published in Washington and New Orleans; but was composed, printed and bound at 79 John street, New York; was there boxed secretly and sent away to come back to subscribers *from the South*. Its circulation scarcely ever exceeded thirty-five hundred copies: yet, by representations of its "enormous Southern patronage," it was enabled to obtain a heavy advertising list. From this source the politic De Bow pocketed from ten to fifteen hundred dollars monthly—all contributed by that Northern capital and energy which his *Review* only lived to defame. The moral turpitude and baseness of the Secession spirit had an active, living embodiment in the moral turpitude and baseness of *De Bow's Review*.



Massachusetts' Record.

will, therefore, quote from the Adjutant-General's report:

"The first call for troops was by a telegram from Senator Wilson, dated at Washington, April 15th, requesting twenty companies to be sent immediately to Washington, and there mustered into service. In the course of the day were received formal requisitions by telegraph from the Secretary of War and Adjutant-General of the United States, for two full regiments of the Massachusetts militia. In compliance therewith, Special Order No. 14 was issued on the same day, directing Colonel Jones, of the Sixth regiment, Colonel Packard, of the Fourth, Colonel Wardrop, of the Third, and Colonel Munroe, of the Eighth, to muster their respective commands on the Boston Common forthwith, 'in compliance with a requisition made by the President of the United States.' This order was sent by mail and by special messengers to the Colonels, who severally resided at Lowell, Quincy, New Bedford, and Lynn. The companies were scattered through the cities and towns of Plymouth, Bristol, Norfolk, Essex, and Middlesex counties.

"In obedience to orders, nearly every company in the above regiments arrived in Boston the next day. The first were three infantry companies from Marblehead, under Captains Martin, Phillips, and Boardman. They arrived at the Eastern depot at nine o'clock, A. M., and were welcomed by a large multitude of people, who cheered the gallant and devoted men as they marched to their quarters at Faneuil Hall, through rain and sleet, to the music of 'Yankee Doodle.' During the entire day the troops arrived at Boston by the different railroad trains.

"A dispatch from Senator Wilson on this day (April 16th,) stated that Massachusetts was to furnish immediately four regiments, making one brigade, with one Brigadier-General. Brigadier-General Benjamin F. Butler, Third Brigade, Second Division, M. V. M., was ordered on the 17th to take command of the troops."

The orders detailed the Fourth and Third regiments to proceed to Fortress Monroe—the Sixth and Eighth to Washington direct, the two latter under general command of General Butler. These incidents are added:

"Captain Pratt, in command of the Worcester company, received his order to join the Sixth regiment late in the afternoon of the 16th, and he was in Boston with his full command early on the morning of the 17th. It was nine o'clock in the evening of the 16th before your Excellency decided to attach the commands of Captains Sampson and Dike to the Sixth regiment. A messenger was dispatch-

ed to Stoneham, with orders for Captain Dike. He reported to me at eight o'clock the next

Massachusetts' Record.

morning, that he found Captain Dike at his house in Stoneham, at two o'clock in the morning, and placed your Excellency's orders in his hands; that he read them, and said: 'Tell the Adjutant-General that I shall be at the State House with my full company by eleven o'clock to-day.' True to his word, he reported at the time, and that afternoon, attached to the Sixth, the company left for Washington. Two days afterward, on the 19th of April, during that gallant march through Baltimore, which is now a matter of history, Captain Dike was shot down while leading his company through the mob. Several of his command were killed and wounded, and he received a wound in the leg, which will render him a cripple for life."

The two regiments for Fortress Monroe departed by steamers on the evening of April 17th. The Sixth regiment left for Washington the same evening by railway, *via* New York, Philadelphia, and Baltimore. General Butler, with the Eighth, followed on the succeeding day. The Sixth cut its way through Baltimore; the Eighth opened the route to the Capital through Annapolis, in company with the New York Seventh, (National Guards.) The Third and Fourth reached Fortress Monroe April 20th—thus securing that stronghold from the conspirator's grasp. The Third embarked the same day on the *Pawnee*, for Norfolk, where it assisted in destroying the immense property of that valuable Depot and Navy-yard, all of which was offered up on the shrine of revolution,—an offering which the country will be slow to believe was justified as proper.

The passage South of the Massachusetts men created the most intense enthusiasm along the route. It was a march between walls of human beings, waving kerchiefs and banners over them, and speeding them on their way with blessings. Baltimore was reached at noon on the 19th. The Sixth was closely followed by the Pennsylvania Seventh—an unarmed regiment. Colonel Jones, of the Massachusetts Sixth, in his report of April 22d—after the arrival at Washington—thus recounted the incidents of the attack on his men, in the streets of Baltimore:



Massachusetts' Record.

"After leaving Philadelphia, I received intimation that our passage through the city of

Baltimore would be resisted. I caused ammunition to be distributed and arms loaded, and went personally through the cars and issued the following order, viz.:

"The regiment will march through Baltimore in column of sections, arms at will. You will, undoubtedly, be insulted, abused, and perhaps assaulted, to which you must pay no attention whatever, but march with your faces square to the front, and pay no attention to the mob even if they throw stones, bricks, or other missiles; but if you are fired upon, and any one of you are hit, your officers will order you to fire. Do not fire into any promiscuous crowds, but select any man whom you may see aiming at you, and be sure you drop him."

"Reaching Baltimore, horses were attached the instant that the locomotive was detached, and the cars were driven at a rapid pace across the city. After the cars containing seven companies had reached the Washington depot, the track behind them was barricaded, and the cars containing band and the following companies, viz.: Company C, of Lowell, Captain Follansbee, Company D, of Lowell, Captain Hart, Company I, of Lawrence, Captain Pickering, and Company C, of Stoneham, Captain Dike, were vacated by the band, and they proceeded to march in accordance with orders, and had proceeded but a short distance before they were furiously attacked by a shower of missiles, which came faster as they advanced. They increased their step to double-quick, which seemed to infuriate the mob, as it evidently impressed the mob with the idea that the soldiers dared not fire, or had no ammunition, and pistol shots were numerous fired into the ranks, and one soldier fell dead. The order, Fire, was given, and it was executed; in consequence several of the mob fell, and the soldiers again advanced hastily. The Mayor of Baltimore placed himself at the head of the column, beside Captain Follansbee, and proceeded with them a short distance, assuring him that he would protect them, and begging him not to let the men fire; but the Mayor's patience was soon exhausted, and he seized a musket from the hands of one of the men, and killed a man therewith; and a policeman, who was in advance of the column, also shot a man with a revolver.

"They at last reached the cars, and they started immediately for Washington. On going through the train, found there were about one hundred and thirty missing, including the band and field music. Our baggage was seized, and we have not as yet been able to recover any of it. I have found it very

difficult to get reliable information in regard to the killed and wounded, but believe there were only three killed.

Massachusetts' Record.

"As the men went into the cars, I caused the blinds to the cars to be closed, and took every precaution to prevent any shadow of offense to the people of Baltimore; but still the stones flew thick and fast into the train, and it was with the utmost difficulty that I could prevent the troops from leaving the cars and revenging the death of their comrades. After a volley of stones, some one of the soldiers fired and killed a Mr. Davis, who, I have since ascertained by reliable witnesses, threw a stone into the car. Yet that did not justify the firing at him, but the men were infuriated beyond control. On reaching Washington, we were quartered at the Capitol, in the Senate Chamber, and are all in good health and spirits."

The Pennsylvania Seventh was assailed as it stood in and around the President-street depot. Totally unarmed, it was soon scattered, and returned to Philadelphia in a disorganized condition.

The New York Seventh, one of the most thoroughly

New York and Rhode Island Moving.

trained and efficient regiments in the country, volunteered *en masse* to proceed to the Capital and to serve for one month, while troops were coming forward from the more distant States. It left the city of New York on the morning of the 19th, (April.) It was followed by the Rhode Island Marine artillery, commanded by Col. Tompkins, splendidly equipped, numbering one hundred and thirty men, with one hundred and ten horses and eight choice guns. This battery was the first contribution of that gallant little State, and in its perfections was but a type of all which followed from Governor Sprague's hands.

The excitement which reigned throughout the country, consequent on the attack by the Baltimore mob, was intense. It was the first blood shed in the war, and served only to aggravate and consolidate Northern animosity. The steps soon taken by the mob cut off all communication with Washington

Washington cut off.

by the direct railway, thus placing the Capital in a most critical position. The District militia, the Pennsylvania advance companies, the Massachusetts Sixth, the Navy Yard ma-



rines, and two companies of regulars quartered near the city, were all upon which its safety had to depend for several days. A determined descent of the Baltimore rowdies, and of the Virginia forces already organized, would place the city in imminent peril of destruction or capture. Arlington Heights, on the West of the Potomac, and Georgetown Heights on the North, commanding the Capital completely, were open to the enemy, and so remained for many days. General Scott, Adjutant-General McDowell, and several able and trusty officers of the regular army, were on the alert, however, and never, for a moment, were unprepared for any emergency. To their vigilance and the *prestige* which attached to the General-in-Chief's presence, does the country owe the preservation of its National City in those days of alarm.

The Mob Triumphant.

During the two days succeeding the attack in Baltimore, the mob hastened to complete their work of "preventing the Northern hordes from crossing Maryland soil to subjugate the South," by destroying various railroad bridges and draws. Before the work of destruction was stayed, several important and valuable connecting structures were ruined, the telegraph wires were severed, and the vicinity of Baltimore became a pandemonium where the *canaille* reigned supreme. The Governor and the City authorities were alike powerless, for the moment, to stay the violence and terror, particularly as the Chief of Police and most of the Board of Police Commissioners were sympathizers with the mob.

Immediately after the attack on the troops, the Governor and Mayor "advised" that no more troops should be brought forward by the Philadelphia and Baltimore Railway; and also soon "advised" that the troops then on the route, or at the President-street depot, be "returned to *Philadelphia*,"—requests with which the President of the road hastened to comply. The Baltimore and Ohio Railway was also "advised" not to allow troops to pass over the line of that great thoroughfare from the West and North, and gave its assent to the demand. All this was in deference to the mob. Not that the city and State authorities and railway managers were dis-

loyal, but that they were all at the mercy of a set of vagabonds, led by the Secessionists of the city and by wild spirits who rushed in from Virginia—a reckless and terribly excited horde, numbering nearly twenty thousand men, all armed and eager for a fray.

The Mayor and Governor, on the 19th, dispatched messengers to Washington, remitting the following letters:

The Mayor and Governor to the President

"SIR: This will be presented to you by the Hon. H. Lenox Bond, George W. Dobbin, and John C. Brune, Esqs., who will proceed to Washington by an express train, at my request, in order to explain fully the fearful condition of our affairs in this city. The people are exasperated to the highest degree by the passage of troops, and the citizens are universally decided in the opinion that no more troops should be ordered to come.

"The authorities of the city did their best to-day to protect both strangers and citizens, and to prevent a collision, but in vain; and but for their great efforts a fearful slaughter would have occurred.

"Under these circumstances, it is my solemn duty to inform you that it is not possible for more soldiers to pass through Baltimore, unless they fight their way at every step.

"I therefore hope and trust, and most earnestly request, that no more troops be permitted or ordered by the Government to pass through the city. If they should attempt it, the responsibility for the bloodshed will not rest upon me. With great respect, your obedient servant,

"GEO. WM. BROWN, Mayor."

"I have been in Baltimore since Tuesday evening, and co-operated with Mayor Brown in his untiring efforts to allay and prevent the excitement, and suppress the fearful outbreak as indicated above, and I fully concur in all that is said by him in the above communication. Very respectfully, your obedient servant,

"THOMAS HICKS, Governor of Maryland.  
"To his Excellency, President LINCOLN."

To these communications the President responded:

"I tender you both my sincere thanks for your efforts to keep the peace in the trying situation in which you are placed. For the future, troops *must* be brought here, but I make no point of bringing them *through* Baltimore.

The President's Answer.

"Without any military myself, of course I must leave details to General Scott. He hastily said, this morning, in presence of these gentlemen: 'March them *around* Baltimore, and not through it.'



The President's  
Answer.

"I sincerely hope the General, on fuller reflection, will consider this practical and proper, and that you will not object to it. By this, a collision of the people of Baltimore with the troops will be avoided, unless they go out of the way to seek it. I hope you will exert your influence to prevent this. Now and ever I shall do all in my power for peace, consistently with the maintenance of the Government."

All this was rendered unnecessary by the destruction of the bridges. Until they could be replaced and the tracks placed under guard, no troops could even pass around Baltimore, except by choosing other routes entirely—a choice General Butler was not slow to make. He left Philadelphia April 20th, for Annapolis, having determined to open that route to the Capital. He wrote to Governor Andrew:

"I have detailed Captain Devereux and Captain Briggs, with their commands, supplied with one day's rations and twenty rounds of ammunition, to take possession of the ferry-boat at Havre de Grace, for the benefit of this expedition. This I have done with the concurrence of the present master of transportation of the road. The Eighth regiment will remain at quarters, that they may get a little solid rest, after their fatiguing march. I have sent to know if the Seventh regiment will go with me. I propose to march myself at the hour of seven o'clock in the morning, to take the regular eight and a quarter o'clock train to Havre de Grace. The citizens of Baltimore, at a large meeting this evening, denounced the passage of Northern troops. They have exacted a promise from the President of the Baltimore and Ohio Railroad, not to send troops over that road through Baltimore, so that any attempt to throw troops into Baltimore entails a march of forty miles, and an attack upon a city of two hundred thousand inhabitants, at the beginning of the march. The only way, therefore, of getting communication with Washington for troops from the North, is over the Baltimore and Ohio Railway, or marching from the West. Commodore Dupont, at the Navy-yard, has given me instructions of the fact in accordance with these general statements, upon which I rely. I have, therefore, thought I could rely upon these statements as to the time it will take to proceed in marching from Havre de Grace to Washington. My proposition is to join with Colonel Lefferts, of the Seventh regiment of New York. I propose to take the fifteen hundred troops to Annapolis, arriving there to-morrow about four o'clock, and occupy the capital of Maryland,

and thus call the State to account for the death of Massachusetts men, my friends and neighbors. If Colonel Lefferts thinks it more in accordance with the tenor of his instructions to wait rather than go through Baltimore, I still propose to march with this regiment. I propose to occupy the town, and hold it open as a means of communication. I have then but to advance by a forced march of thirty miles to reach the Capital, in accordance with the orders I at first received, but which subsequent events, in my judgment, vary in their execution, believing from the telegraphs that there will be others in great numbers to aid me. Being accompanied by officers of more experience, who will be able to direct the affair, I think it will be accomplished. We have no light batteries; I have therefore telegraphed to Governor Andrew to have the Boston Light Artillery put on shipboard at once, to-night, to help me in marching on Washington. In pursuance of this plan, I have detailed Captains Devereux and Briggs with their commands, to hold the boat at Havre de Grace.

"*Eleven, A. M.* Colonel Lefferts has refused to march with me. I go alone at three o'clock, P. M., to execute this imperfectly written plan. If I succeed, success will justify me. If I fail, purity of intention will excuse want of judgment, or rashness.

"B. F. BUTLER."

This movement was a complete success. Butler threw forward, on Saturday,

General Butler's  
movement.

the 20th, the companies of Capt's Devereux and Briggs (of the Massachusetts Eighth) which proceeded to the ferry at Havre de Grace, and occupied the place without opposition. The remainder of the troops having been advanced during the day, at six P. M. the whole body embarked with General Butler upon the ferry-boat *Maryland*, directly for Annapolis, and arrived off the capital of Maryland at a late hour of the night, to anticipate the treasonable intentions of an organization in the vicinity, which had formed a plot to seize the United States frigate *Constitution*, "Old Ironsides," that lay moored off the Naval Academy wharf. Captain Devereux took possession of the old frigate, and had her towed out into the stream.

The New York Seventh closely followed Butler's advance. It took the transport *Boston*, from Philadelphia, at three P. M. of Saturday, and steamed to Annapolis, arriving off that place Monday morning early, to find the *Maryland* hard aground. In this predicament



Occupation of  
Annapolis.

she lay all day—the troops on board of her suffering much for want of food and water. The Seventh landed and took possession of the Academy; their transport then brought ashore the Eighth. It was the first occupation of the “sacred soil” by the “Northern invaders.”

Butler’s indomitable energy found a full response in his equally indomitable and capable men. Engineers were wanted to run the ferry-boat down to Annapolis. Forthwith eighteen good engineers stepped from the ranks. Upon landing, the railway property was seized, and men were wanted to repair damages to crippled locomotives and destroyed tracks. Instantly a dozen machinists stood

ready to place the engines in order, while a large body of track-layers and bridge-builders were eager for duty. While the gentlemen of the Seventh were taking their ease in comfortable quarters at the Naval Academy, the Massachusetts men were already on their slow march toward the Capital.

The Massachusetts regiment assumed the duty of opening the route *via* Annapolis Junction to Washington. The New York Seventh marched on to the Junction, and there took cars for the Capital, which they reached at noon, Thursday, April 25th—the first regiment to enter the city after the Massachusetts Sixth. With their arrival the Capital was deemed secure.

Arrival of Troops in  
Washington.

## CHAPTER III.

### DISLOYAL ATTITUDE OF THE BORDER STATES.

North Carolina’s  
Disloyalty.

IMPORTANT events followed rapidly upon the first signs of resistance to the revolution. The summons to arms of the loyal States hastened Virginia’s secession, and placed the other Slave States still adhering to the Union in an attitude of questionable loyalty. North Carolina’s Governor answered the call as follows :

“ RALEIGH, April 15th, 1861.

“ *Honorable Simon Cameron, Secretary of War :*

“ Your dispatch is received, and, if genuine, which its extraordinary character leads me to doubt, I have to say in reply, that I regard the levy of troops made by the Administration for the purpose of subjugating the States of the South, as in violation of the Constitution, and a usurpation of power. I can be no party to this wicked violation of the laws of the country, and to this war upon the liberties of a free people. You can get no troops from North Carolina. I will reply more in detail when your call is received by mail.

“ JOHN W. ELLIS,

“ Governor of North Carolina.”

This was soon succeeded by the follow-

ing treasonable and inflammatory proclamation :

Governor Ellis’  
Proclamation.

“ *Whereas*, By proclamation of Abraham Lincoln, President of the United States, followed by a requisition of Simon Cameron, Secretary of War, I am informed that the said Abraham Lincoln has made a call for seventy-five thousand men, to be employed for the invasion of the peaceful homes of the South, and for the violent subversion of the liberties of a free people, constituting a large part of the whole population of the late United States; and, *whereas*, this high-handed act of tyrannical outrage is not only in violation of all Constitutional law, utter disregard of every sentiment of humanity and Christian civilization, and conceived in a spirit of aggression unparalleled by any act of recorded history, but is a direct step toward the subjugation of the whole South, and the conversion of a free republic, inherited from our fathers, into a military despotism, to be established by worse than foreign enemies, on the ruins of our once glorious Constitution of equal rights :

“ Now, therefore, I, John W. Ellis, Governor of the State of North Carolina, for these extraordinary causes, do hereby issue this, my proclamation, notifying and requesting the Senators and Members of



the House of Commons of the General Assembly of North Carolina, to meet in special session at the Capitol, in the city of Raleigh, on Wednesday, the 1st day of May next. And I furthermore exhort all good citizens throughout the State, to be mindful that their first allegiance is due to the sovereignty which protects their homes and dearest interests, as their first service is due for the sacred defense of their hearths, and of the soil which holds the graves of our glorious dead.

"United action in defense of the sovereignty of North Carolina, and of the rights of the South, becomes now the duty of all."

The whirlwind was sown. Repose, prosperity, political and social integrity, hopes of the future were cast to the air, and the storm soon held wild riot over all her borders. The United States forts at Wilmington and Beaufort were seized. The United States branch mint at Charlotteville was "appropriated" April 21st. The United States arsenal at Fayetteville was "occupied" April 22d. As Mr. Alexander H. Stephens said, in his Richmond harangue, April 22d: "North Carolina was out, and did not hardly know how she got out." At Wilmington he counted twenty-one Confederate flags. Of the attitude of the still unseceded States, the Vice-President of the Southern Confederacy thus discoursed: "The news

Mr. A. H. Stephens'  
Declarations.

from Tennessee is equally cheering—there the mountains are all on fire. Tennessee was no longer in the late Union. She was out by the resolutions of her popular assemblies in Memphis and other cities. Kentucky would soon be out, for her people were moving in the right direction. Missouri—who could doubt the stand she would take, when her Governor, in reply to Lincoln's insolent proclamation, had said: 'You shall have no troops for the furtherance of your illegal, unchristian, and diabolical schemes!' Missouri will soon add another star to the Southern galaxy. Where Maryland is you all know. The first Southern blood has been shed on her soil, and Virginia would never stand by and see her citizens shot down. The cause of Baltimore is the cause of the whole South."

The presence of this personage in Richmond, so soon after the Ordinance was passed, and the programme of operations an-

nounced by him, demonstrated that the alacrity of the North was not needless, if the country was to be spared the humiliation of witnessing its liberties in the keeping of the revolutionists. How the vista opened before such expressions as these!

"Every son of the South, from the Potomac to the Rio Grande, should rally to the support of Maryland. If Lincoln quits Washington as ignominiously as he entered it, God's Will will have been accomplished. Be prepared. Stand to your arms. Defend your wives and your firesides. Rather than be conquered let every second man rally to drive back the invader. The conflict may be terrible, but the victory will be ours. Virginians! you fight for the preservation of your sacred rights—to keep from desecration the tomb of Washington,\* the graves of Madison, Jefferson, and all you hold most dear."

Tennessee sought, for a while, to preserve a "neutrality," forbidding alike the Northern or Southern troops from a foothold upon her territory. Governor Harris, replying to the call of the War Department, said:

Tennessee's Dis-  
loyalty.

"Tennessee will not furnish a single man for coercion, but fifty thousand, if necessary, for the defense of our rights and *those of our brethren.*"

With such a declaration, Tennessee was out of the Union, so far as her Executive could pledge her. It only heralded the steps soon to be taken of a "treaty," by which the State was sold out to the Southern Confederacy—a sale that put to blush the off-hand gifts of kingdoms by Napoleon I. It was the disposal of a proprietary over which the party of the first part had not even the residuary rights of an agent. [See page 152.]

Several of the leading men of the State issued an address to the people, dated April 18th, with the ostensible design of appeasing the growing excitement. It endorsed the Governor's refusal to furnish troops at the call of the Federal Govern-

Address of John Bell  
and others.

\* This allusion to the tomb of Washington was singularly *mal-apropos*; since, under Virginia's niggardly indifference, the tomb and grounds of the Mount Vernon Estate became a national disgrace, from which they were only (then) recently rescued by the money which the Honorable Edward Everett had obtained, through extraordinary personal exertions, chiefly from the Northern people.



Address of John Bell  
and others.

ment, and characterized the act of coercion as calculated to dissolve the Union forever, and to dissolve it in blood—a sufficient excuse for the Governor's refusal. It said: "We unqualifiedly disapprove of secession, both as a constitutional right and a remedy for existing evils; we equally condemn the policy of the Administration in reference to the Seceded States." Hence they urged the policy of neutrality:

"The present duty of Tennessee is to maintain a position of independence—taking sides with the Union and the peace of the country against all assailants, whether from the North or South. Her position should be to maintain the sanctity of her soil from the hostile tread of any party.

"We do not pretend to foretell the future of Tennessee, in connection with the other States, or in reference to the Federal Government. We do not pretend to be able to tell the future purposes of the President and Cabinet in reference to the impending war. But should a purpose be developed by the Government, of overrunning and subjugating our brethren of the Seceded States, we say unequivocally, that it will be the duty of the State to resist at all hazards, at any cost, *and by arms*, any such purpose or attempt. And to meet any and all emergencies, she ought to *be fully armed*, and we would respectfully call upon the authorities of the State to proceed at once to the accomplishment of this object.

"Let Tennessee, then, prepare thoroughly and efficiently for coming events. In the mean time, let her, as speedily as she can, hold a Conference with her sister Slaveholding States yet in the Union, for the purpose of devising plans for the preservation of the peace of the land. Fellow-citizens of Tennessee, we entreat you to bring yourselves up to the magnitude of the crisis. Look in the face impending calamities. Civil war—what is it? The bloodiest and darkest pages of history answer this question. To avert this, who would not give his time, his talents, his untiring energy—his all? There may be yet time to accomplish everything. Let us not despair. The Border Slave States may prevent this civil war; and why shall they not do it?"

This was signed by John Bell, the Union candidate for the Presidency at the late election. Also by Bailie Peyton, Neil S. Brown, E. H. Ewing, R. J. Meigs, and others.

"He that is not for me is against me," was illustrated in this call. It was more rank

with treason than an ordinance of Secession, because it *defied* the Government whose authority it confessed no State could constitutionally abrogate. It also indicated the course to be pursued in leaguering the State to the fortunes of the Southern Confederacy. Signing his name to that "Address," John Bell descended from the high estate of the patriot to become the creature of conspirators. He sold his birthright of glory for a mess of pottage made at the cauldron of Macbeth's witches. Had he drawn his inspiration at the shrine of Andrew Jackson—had he possessed even a tithe of the moral courage of Andrew Johnson—the Union would not have had to deplore his defection. *Facilis descensus Averni!*

Kentucky reeled under the excitement of the revolution. For a while her steady pilots were disconcerted at the approaching storm: and when her Governor so far forgot his allegiance as to answer the President's call, thus:

Kentucky's  
"Neutral" Position.

"FRANKFORT, April 16th, 1861.

"Hon. Simon Cameron, Secretary of War:

"Your dispatch is received. In answer, I say emphatically that Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States.

"B. MAGOFFIN, Governor of Kentucky."

there were few to protest against, or to ignore, the treasonable insult thrown in the face of the National Executive. A day or two, however, sufficed to show that the people were loyal at heart. A spontaneous demonstration, which took place at Louisville, on the evening of April 18th, sent a rift of light athwart the gathering darkness of her destiny. At that demonstration speeches were made by ex-Secretary James Guthrie, Hon. Archie Dixon, the venerable Judge Nicholas, Judge Bullock, and Hon. John Young Brown, of a thoroughly patriotic character, and resolutions were adopted assuring the country of Kentucky's loyalty. But, as if fearful of meeting the crisis at once, and of embodying in deeds the spirit of their speech, the resolutions gave utterance to the "neutrality" fallacy—proposed to place Kentucky on the defensive and offensive alike. A few weeks only were necessary to sweep away the mis-



erable sophistry by which truly loyal men sought to deceive themselves; and when the invader came, in the person of one of her own sons, she assumed with alacrity her true position under the Stars and Stripes. The spirit of the dead Clay then inspired her councils, and carried her through the fiery ordeal as became the mother of noble sons.

Governor Jackson of Missouri used quite as choice rhetoric as his limited education would permit, in his answer to the call for troops. He said to Mr. Cameron, replying to the requisition:

"It is illegal, unconstitutional, revolutionary, inhuman, diabolical, and cannot be complied with."

The Governor soon issued a call for an extra session of the Legislature, to meet on the 2d of May, "for the purpose of enacting such laws and adopting such measures as may be necessary for the more perfect organization and equipment of the militia—to raise money,

and devise such other means as may be necessary to place the State in a proper attitude of defense." Taken in conjunction with the reply to the President's requisition, this was little else than a declaration of war. Fortunately, the Governor was not the State; and, while he was plotting treason, the patriotic men of the State, under the inspiration of such persons as Frank Blair and B. Gratz Brown, were organizing the required regiments for the National cause. General Harney was in command of the Western Military Department, head-quarters at St. Louis, with means at his disposal for sustaining any order his Government might dictate. The brave and vigilant Captain Nathaniel Lyon was with the command, ready and eager to strike home at the treason which everywhere around him seemed only awaiting its season to precipitate the State into the maelstrom of the rebellion.

## CHAPTER IV.

STATE OF FEELING IN THE NORTH. CONSOLIDATION AND FRATERNIZATION OF ALL CLASSES IN SUPPORT OF THE ADMINISTRATION. WORDS OF DOUGLAS, CALEB CUSHING, EX-PRESIDENT PIERCE, GENERAL CASS, EVERETT, AND OTHERS, TO THE PEOPLE. THE COMMERCIAL COMMUNITY. ITS MAGNANIMOUS DEVOTION TO THE CAUSE OF THE UNION. THE CHAMBER OF COMMERCE (NEW YORK) RESOLUTIONS. THE CHURCHES OF THE NORTH. EXTRAORDINARY SPECTACLE OF FLAGS ON CHURCH SPIRES. ACTION OF VARIOUS DENOMINATIONS. THE REIGN OF PATRIOTISM.

WE must pause in this exciting narrative to advert to the state of public feeling at the North, as indicated by the speeches of leading men, late opponents to the Administration; as expressed in the resolutions and proceedings of important corporate bodies and assemblages of the people; as betrayed in the action of leading churches, and as reflected by the press hitherto opposing the

Administration and friendly to the cause of the South. The chapter will form one of the most remarkable records of all that momentous drama, demonstrating how wonderfully *all* adverse elements had assimilated at the call of the President. The chapter also will prove how truly the republican idea is a principle upon which to rely in emergencies—thus giving to the friends of democratic in-



stitutions all the argument necessary to silence the assumptions of the enemies of popular government.

Popular Manifestations.

The first manifestations came from the populace in the cities. Their quick sympathies anticipated those of the more cautious men of wealth; they soon led in demonstrations which, while they challenged the admiration of patriots, inspired wholesome apprehensions in the hearts of the lukewarm and disloyal. American flags were the insignia of loyalty: all public and private institutions, even to churches and schools, which did not hang the Stars and Stripes "on the outer wall," were called upon for explanation. No qualified submission to the course of events satisfied the eager and stern guardians of the public weal: every citizen must show a patriotic sympathy with the Government, or else be liable to lose friends, business, and social standing. The case of several suspected newspapers illustrates the severity of public opinion that swept over the entire North, during the week following the bombardment of Sumter. Presses which betrayed their Southern proclivities in resisting the popular current, were visited by the throng and compelled to run out the American flag. If this was not also followed by a loyal tone in the pages of the journal, the public was only satisfied with the entire destruction of the obnoxious establishment. During the two weeks succeeding April 12th, probably a half dozen newspapers were thus violently suppressed; while, in the case of those papers whose intensity of partisan feeling still led them to withhold an active support of the Administration, their quickly withdrawn patronage, and the public odium attached to their course, soon compelled them to drop into the current of the common cause.

But, the exceptions to this reign of patriotic ardor were rare. Ninety-nine hundredths of those who had been inimical to the Republican party became ardent supporters of the Administration. In the holy cause of the Union, men cast aside prejudices, party-affiliations, local antipathies, to become brothers in the great crisis. All seemed to feel that the Republic was on trial; and, with an una-

nimity, astonishing as it was resistless, the people of the Free States arose to uphold their Constitution and to enforce the laws.

The leaders in the South had confidently counted upon the support of the

Loyalty of the Democratic Party.

Democratic party of the North, and not without reason. The speeches of Douglas, Breckinridge, John Cochrane, Vallandigham, Florence, Sickles, Bigler, Lane, Latham, and of other recognised leaders of the Democracy, led the Southern people to feel that, however diverse might be their opinions on the abstract "right of secession," the Democrats would, as a body, oppose "coercion," and, to that end, sustain the revolution. Had there been no appeal to force, no assault on the United States flag, no robbery of United States' arsenals and mints, no seizures of forts, no other acts of high treason, it is highly probable that the Democratic party of the North would have accepted the Seceded States confederation as a *de facto* government. The dismemberment of the Union would then have been accomplished, and the Democracy would have allied themselves, as a party, to a movement for reorganizing the Union upon a basis acceptable to the Southern people. In stating this, we challenge the denial of many of that party whose devotion to their country afterwards led them to feel that they never did or would have fraternized with the Southern idea; but, the record is alive with State and county resolutions, with speeches and declarations of leaders, with newspaper pronunciamientos and addresses of central committees, which show that, almost up to the very hour of the assault on Sumter, the Democrats, *as a party*, were willing to accept the dissolution of the Union as a thing accomplished, and believed their mission was to reunite the States by such concessions and constitutional amendments as would satisfy the South. When men who were pledged to such a policy became soldiers in the ranks, when they gave up "platforms" and resolves, to battle for the Union, it exemplified the fact that a love of country was nobler, and stronger, and firmer, than the love for party—that the Government was safe when placed in the hands of the people.

Mr. Douglas embraced an early moment



Douglas.

to endorse Mr. Lincoln's course in calling out troops.

At the moment of the assault upon Sumter he was in Washington, and hastened to assure the President of the loyalty of the Democratic party to the Union. It is said that Mr. Lincoln called in his old opponent as adviser, and in many instances adopted his excellent suggestions. Mr. Douglas started for the West April 18th, to aid in placing his State on the foremost list of the defenders of the Constitution and the Union, and reports became current that he would assume the responsibilities of a Major-General in the field. At several points on his route, he paused to address the people—to demonstrate how easily party was forgotten in a common peril. His words did much to centralize opinion and to direct all the energies of the people to the one great end of sustaining the National Administration in the contest forced upon it. The early death of that great leader of the Democracy filled the nation with mourning. Had his life been spared, none doubted but that he would have entered the field to become a very Cœur de Lion in the Union's cause. His last words will be his most glorious monument. His heart-broken wife bent over the almost insensible form of the dying man and asked: "Do you know me, Stephen?" He murmured her name. "Have you no word for your beloved children?" His eyes gleamed with a spark of his old energy as he essayed to rise on his elbow—"Tell them," he exclaimed, "*to obey the Constitution and the Laws!*" These were his last words. What a legacy to leave to his children and his countrymen!

Caleb Cushing.

His old antagonist, Caleb Cushing, who had presided at the Charleston

Democratic National Convention, and afterwards over the "rump Convention" which nominated John C. Breckenridge, and thereby defeated Mr. Douglas, in the canvass of 1860, [see page 32 of Vol. I], was constrained to forsake his "Southern friends," and to support the cause of the Union. His position typified that of the Northern Breckenridge Democracy generally, and his words therefore deserve attention for their significance. In a speech at Newburyport, Mass.,

April 24th, he uttered, among other patriotic sentiments, such as these:—

Caleb Cushing.

"Long may this glorious flag wave above our heads, the banner of victory and the symbol of our National honor! Our dear country now indeed demands the devotion of all her sons: for the dire calamity of civil war is upon us. I have labored for many years, earnestly and in good faith, for the conservation of this Union, and to avert the final issue of arms in the contention of sections. I have nothing to unsay of my words in that behalf. But the day of discussion has passed—that of action has arrived. \* \* As a citizen of the United States, owing allegiance to the Constitution, and bound by constitutional duty to support its Government, he should do so. As a son of Massachusetts, attached to her by ties of birth and affection, neither friend nor foe should sever him from her. I yield to no man in faithfulness to the Union, or in zeal for the maintenance of the laws and the constitutional authorities of the Union; and to that end I stand prepared, if occasion should call for it, to testify my sense of public duty by entering the field again at the command of the Commonwealth or of the Union."

How it must have astounded those machinators against the Union who broke up the Charleston Convention—who brought Mr. Breckenridge forward to divide the Democratic vote and thereby defeat Mr. Douglas by insuring the election of the Republican nominee—to read such a declaration from the lips of the man whom they had used as their most available instrument! The tables indeed were turned.

Mr. Cass, Secretary of State in Mr. Buchanan's

Cass.

Cabinet, presided at a meeting of the citizens of Detroit, April 24th, called to consider the duty of Michigan in the crisis. In the course of his remarks he said: "You need no one to tell you what are the dangers of your country, nor what are your duties to meet and avert them. There is but one path for every true man to follow, and that is broad and plain. It will conduct us, not indeed without trials and suffering, to peace and the restoration of the Union."



Cass. He who is not for his country is against it. There is no neutral position to be occupied. It is the duty of all generously to support the Government in its efforts to bring this unhappy civil war to a speedy and satisfactory conclusion, by the restoration, in its integrity, of that great charter of freedom bequeathed to us by Washington and his compatriots." This was the patriotism of the Democratic nominee for the Presidency in 1848. The Democratic nominee of 1852 was scarcely less decided in his advice to his

Pierce. countrymen. At a mass meeting held in Concord, New Hampshire, ex-President Pierce said:—

"Should the hope which I have expressed not be realized, which, may a beneficent Providence forbid, and a war of aggression is to be waged against the National Capital and the North, then there is no way for us, as citizens of the old Thirteen States, but to stand together and uphold the flag to the last, with all the rights which pertain to it, and with the fidelity and endurance of brave men. I would counsel you to stand together with one mind and one heart, calm, faithful, and determined. But give no countenance to passion and violence, which are really unjust, and often in periods like these are the harbingers of domestic strife. Be just to yourselves, just to others, true to your country, and may God, who has so greatly blessed our fathers, graciously interpose in this hour of clouds and darkness, and save both extremities of the country, and to cause the old flag to be upheld by all hands and all hearts. Born in the State of New Hampshire, I intend that here shall repose my bones. I would not live in a State, the rights and honor of which I was not prepared to defend at all hazards, and to the last extremity."

Robert J. Walker. Robert J. Walker, of Mississippi, Secretary of the Treasury in the Cabinet of Mr. Pierce, said, at a meeting of the citizens of Staten Island, April 27th: "Let me say to you, without hesitation, that the time for truce, for compromise, is past. We cannot compromise with traitors. We cannot compromise with rebellion. Rebellion must be suppressed by the strong arm of the Government. That flag must float, as it did six months ago, over the entire Union. There must not be one stripe polluted or a star effaced. We have but one alternative before

us, and that is to fight it out to the last. We must not only maintain our Capital, but we must replace our flag on every fort from which it has been treasonably displaced."

Mr. Everett, candidate in 1860, of the Union party, Everett. for the Vice-Presidency, said at a flag raising, at Chester, Massachusetts, April 27th: "We set up this standard, not as a matter of idle display, but as an expression indicative that in the mighty struggle which has been forced upon us, we are of one heart and one mind—that the Government of the country must be sustained. All former differences of opinion are swept away. We forget that we have ever been partisans. We remember only that we are Americans." Mr. B. F. Hallett, a leading Breckenridge Democrat, on the same occasion, made a strong Union speech, while B. F. Butler, the Breckenridge Democratic nominee for Governor, in Massachusetts, in 1860, was already in the field—the first Brigadier-General in the Union Volunteer army.

These quotations indicate the remarkable unity of sympathy and purpose among the Northern people. Such sentiments uttered by late opponents of the dominant party, could be inspired only by the profound love of country which lies beneath all partisan feeling in every true American heart. Like the majestic forests and hills of our continent, only awaiting the coming of the tempest to fill the air with their grand diapason and sublime harmonies, the people remain apart in moments of peace, yet solid and unbroken in time of danger.

The commercial community of the North, more The Commercial Community. than any other class of citizens, had suffered by the bad faith of the South. The custom had become fixed, in business circles, to credit the Southern planter and merchant for terms of eighteen months to two years, while merchants of the North and West were considered "accommodated," if granted a four months' credit. The Southern purchaser, too, could buy to almost any amount, simply upon proving that he came from some Slave region; while the merchant from the Free States had to stand well on the books of that court of personal



The Commercial  
Community.

inquisition, the "Commercial Agency," before he could secure a dollar's

worth of goods. This partiality was a base reflection on the integrity of the Northern customer, and a pusillanimous concession to "Southern honor," as events only too painfully demonstrated. The shipwreck of hundreds of business houses in Philadelphia, New York, Boston, Providence, Cincinnati, St. Louis and Pittsburg, doing a "Southern business," was an argument wiser than words to prove the infatuation of Northern business men in the matter of Southern credits. [See Vol. I., page 497.]

The unanimity in sustaining the course of the National Administration, manifested by the commercial men of the North, reflected honorably on their patriotism. If their patriotic ardor was intensified by their losses and insulted confidence, it may be excused. In all the imposing demonstrations made in the loyal States, the men of commerce sustained a leading part—committing themselves, without reserve, to the work of suppressing the rebellion and of punishing its abettors.\* At the vast meeting held in New York city, April 20th, to sustain the Government, almost every "solid" man of the city participated. The wealth and influence there represented it was estimated comprised, in a merely material point of view, an amount sufficient to arm, equip and keep in the field an army of two hundred thousand men—so truly gigantic was the demonstration. Similar meetings were held in all the great commercial centres of the North, while interior cities, towns and villages vied with each

\* The case of the eminent dry-goods merchant, Alexander T. Stewart, of New York city, is a representative instance of the feeling prevalent in his class. It having been rumored that he had given the Government one million of dollars, he stated in a communication to the public, that, all he had was at the service of his country—that he owed all to the inestimable blessings bestowed by the Union, and would freely give all in defense of that Union. Cornelius Vanderbilt, the great ship-owner, hastened to present his finest ocean steamer to the Government, and to offer a second steamer for what the Government saw proper to pay. These instances of magnanimous devotion were, indeed, so numerous that it is difficult to choose which to mention.

other in their efforts in behalf of the National cause.

The Commercial  
Community.

From the spirit of patriotism thus engendered, it was only necessary to open the volunteer lists to place Government in possession of six hundred and sixty thousand of the best men ever brought into the field.

A meeting of the New York Chamber of Commerce, held April 19th, more distinctly represented the commercial sentiment of the North. The resolutions, unanimously adopted by that eminent corporate body, deserve quotation for their determined expression of opinion and purposes:—

"Whereas, Our country has, in the course of events, reached a crisis unprecedented in its past history, exposing it to extreme dangers, and involving the most momentous results; and *whereas*, the President of the United States has, by his Proclamation, made known the dangers which threaten the stability of Government, and called upon the people to rally in support of the Constitution and laws; and *whereas*, the merchants of New York, represented in this Chamber, have a deep stake in the results which may flow from the present exposed state of national affairs, as well as a jealous regard for the honor of that flag under whose protection they have extended the commerce of this city to the remotest part of the world; therefore,

Chamber of Com-  
merce Resolutions.

"*Resolved*, That this Chamber, alive to the perils which have been gathering around our cherished form of Government, and menacing its overthrow, has witnessed with lively satisfaction the determination of the President to maintain the Constitution and vindicate the supremacy of Government and law at every hazard.

"*Resolved*, That the so-called secession of some of the Southern States having at last culminated in open war against the United States, the American people can no longer defer their decision between anarchy or despotism on the one side, and on the other liberty, order, and law under the most benign Government the world has ever known.

"*Resolved*, That this Chamber, forgetful of past differences of political opinion among its members, will, with unanimity and patriotic ardor, support the Government in this great crisis; and it hereby pledges its best efforts to sustain its credit and facilitate its financial operations. It also confidently appeals to all men of wealth to join in these efforts.

"*Resolved*, That while deploring the advent of civil war, which has been precipitated on the coun-



Chamber of Commerce Resolutions.

try by the madness of the South, the Chamber is persuaded that policy and humanity alike demand that it should be met by the most prompt and energetic measures; and it accordingly recommends to Government the instant adoption and prosecution of a policy so vigorous and resistless, that it will crush out treason now and forever.

"*Resolved*, That the proposition of Mr. Jefferson Davis to issue letters of marque to whosoever may apply for them, emanating from no recognized Government, is not only without the sanction of public law, but piratical in its tendencies, and therefore deserving the stern condemnation of the civilized world. It cannot result in the fitting out of regular privateers, but may, in infesting the ocean with piratical cruisers, armed with traitorous commissions, to despoil our commerce, and that of all other maritime nations.

"*Resolved*, That in view of this threatening evil, it is, in the opinion of this Chamber, the duty of our Government to issue at once a proclamation, warning all persons that privateering under the commissions proposed will be dealt with as simple piracy. It owes this duty not merely to itself, but to other maritime nations, who have a right to demand that the United States Government shall promptly discountenance every attempt within its borders to legalize piracy. It should, also, at the earliest moment, blockade every Southern port, so as to prevent the egress and ingress of such vessels.

"*Resolved*, That the Secretary be directed to send copies of these resolutions to the Chambers of Commerce of other cities, inviting their co-operation in such measures as may be deemed effective in strengthening the hands of Government in this emergency.

"*Resolved*, That a copy of these resolutions, duly attested by the officers of the Chamber, be forwarded to the President of the United States."

Blockade Resolutions.

"*Whereas*, War against the Constitution and Government of these United States has been commenced, and is carried on by certain combinations of individuals, assuming to act for States at the South, claiming to have seceded from the United States; and,

"*Whereas*, Such combinations have officially promulgated an invitation for the enrollment of vessels, to act under their authorization, and, as so-called 'privateers,' against the flag and commerce of the United States; therefore,

"*Resolved*, By the Chamber of Commerce of the State of New York, That the United States Government be recommended and urged to blockade the

ports of such States, or any other State that shall join them, and that this measure is demanded for defense in war, as also for protection to the commerce of the United States against these so-called 'privateers' invited to enroll under the authority of such States.

"*Resolved*, That the Chamber of Commerce of the State of New York pledges its hearty and cordial support to such measures as the Government of the United States may, in its wisdom, inaugurate and carry through in the blockade of such ports."

The participation of religious bodies in the events of the day was not the

The Religious Sentiment.

least memorable feature of the great uprising. As the churches of the South lent their aid to the cause of secession, [see Vol. I., page 136, 137,] and, eventually, became one of the most virulent elements in propagating hate at which devils must have stood aghast, so the religious element at the North entered into the contest, but in a spirit of solemnity appropriate to its Christian character. From the spires of Roman Catholic Cathedrals, Jewish Synagogues, and of "Orthodox churches generally, from "Trinity" and "Grace," down to the humble chapel on the obscure street, floated the American flag—sight to arrest attention and to excite mingled emotions of reverence and military enthusiasm. Trinity's chimes pealed forth and the very atmosphere seemed resonant of "Hail Columbia," "Star Spangled Banner," "Red, White and Blue" and "Yankee Doodle," as regiment after regiment pressed onward, over the thronged highway to take transport for Washington. This patriotic outburst of the wealthiest religious body in the country was not the exception of churches of its denomination. It is charged that during the first War for Independence the Episcopalians were not, as a body, loyal; but, it will not be said that, in the second War for Independence they were found wanting in devotion to their country. Bishop Potter, of Pennsylvania, published a form of prayer for his congregations, embodying most loyal sentiments—an example soon followed by every Protestant Episcopal Bishop of the Free States, as well as by the Bishops of Delaware and Maryland. The Bishop of Delaware took early occasion to express his views and wishes in the crisis. He said:—

"Another duty that I feel bound to present to the



Christian citizen, is that of sustaining the constituted authorities, and rallying under our country's banner. We have been for years enjoying the blessing of a mild, paternal, and Constitutional Government, under whose gentle, beneficent sway every citizen has been safe at home and respected abroad; liberty and property have been secure; industry has been encouraged, and every civil right and social blessing has been enjoyed to the fullest extent.

"When such a Government is assailed by violence, shall not those who have so long experienced its benefits rise as one man in its defense, and present a solid front to its enemies?"

"The question is not now one of names, or of men, or of parties. It is one of country, of liberty, of national existence, of life or death. The Chief Magistrate of the great American Republic represents in his person the majesty of the law. He is the nation's head, and the blow struck at him is aimed at the Constitution and at the people, at every home and every bosom. We are in the midst of a sterner crisis than were the men of '76. What would have been the restoration of British rule over the thirteen colonies—a rule which had proved so generally beneficent and honorable to its subjects—what would this have been in comparison with the danger now threatening the subversion of all authority—the tyranny of an unprincipled and despotic usurpation, and the reducing of the goodly fabric of national grandeur to a shapeless heap? Our dearest earthly interests are now at stake, and the welfare of children, and of children's children, trembles in this balance."

The venerable Bishop McIlvaine, of Ohio, in his address to the forty-first annual convention of his diocese, uttered most decided sentiments, demanding devotion to the cause of the Union as a solemn and imperative duty.

Loyalty of Archbishop Hughes. Archbishop Hughes, one of the acknowledged heads of the Roman Catholic Church in America, placed the American flag upon his cathedral spire, and by his loyal sentiments, freely uttered, served to inspire the multitudes of his people with unbounded enthusiasm in the Union's cause. The Archbishop addressed a letter to the Chairman of the committee calling the great Union meeting in New York, April 20th, expressing his sentiments on the question of the hour. We quote:

"It is now fifty years since, a foreigner by birth, I took the oath of allegiance to this country, under its title of the United States of America. As regards conscience, patriotism, or judgment, I have

no misgiving. Still desirous of peace, when the Providence of God shall have brought it, I may say that since the period of my naturalization, I have none but one country. In reference to my duties as a citizen, no change has come over my mind since then. The Government of the United States was then, as it is now, symbolized by a national flag, popularly called 'The Stars and Stripes.' This has been my flag, and shall be to the end. I trust it is still destined to display in the gales that sweep every ocean, and amid the gentle breezes of many a distant shore, as I have seen it in foreign lands, its own peculiar waving lines of beauty. May it live and continue to display these same waving lines of beauty, whether at home or abroad, for a thousand years and afterwards, as long as Heaven permits, without limit of duration."

The Jews came up to the crisis with earnestness and

The Jews.

real devotion. The Rev. Dr. Raphael, who, in the fall of 1860, had preached a powerful sermon in behalf of the righteousness and beneficence of human slavery, invoked the God of Israel to crush out the enemies of the Union, and to bless the cause of the North. Many of the rabbis preached quite in the spirit of the days of the prophets.

The spirit of the Methodists was happily illustrated

The Methodists.

in the opening prayer of the New York East Methodist Conference, April 16th:

"Grant, O God, that all the efforts now being made to overthrow rebellion in our distracted country, may be met with every success. Let the forces that have risen against our Government, and thy law, be scattered to the winds, and may no enemies be allowed to prevail against us. Grant, O God, that those who have aimed at the very heart of the Republic may be overthrown. We ask thee to bring these men to destruction, and wipe them from the face of the country!"

The Baptists expressed their convictions in the following stirring resolves:

The Baptists.

"The Assembly of Baptists, gathered from the various Northern States of the Union, would, at the present solemn crisis of the national history, put on record some expression of their judgment, as Christians loving their country, and seeking, in the fear and from the grace of God, its best interests.

"Resolved, That the doctrine of secession is foreign to our Constitution—revolutionary and suicidal, setting out in anarchy, and finding its ultimate issue in despotism.

"Resolved, That the National Government deserves



our loyal adhesion and unstinted support in its wise, forbearing, and yet firm maintenance of its national unity and life; and that sore, long, and costly as the conflict may be, the North has not sought it, and the North will not shun it, if Southern aggressions persist; and that a surrender of the National Union and our ancestral principles would involve sorer evils of longer continuance and vaster costliness."

The Universalists. The Universalists were equally outspoken. Their American Association resolved as follows:

"Whereas, In our beloved country an armed rebellion has arisen, whereby the Federal Government has been defied, its property in forts, mints, and vessels robbed, loyal citizens outraged, and the national flag contemned; therefore,

"Resolved, That we hereby support the Government in its present attitude toward rebellion, recognizing as we do the dire necessity of appealing to the sword.

"Resolved, That we behold in the Stars and Stripes a symbol of Christianity in its political aspects, which, with reverence, we may wrap about the Cross of Christ.

"Resolved, That in the present resort to arms we recognize no war of the North against the South, but a contest of democracy against despotic aristocracy; and that as Christian pastors and people, within our sphere, we prepare for battle, confident of God's approval of our course."

The Old School Presbyterians. The Presbyterians, in their more sober way, were quite up to the prevalent spirit, although, as a Church, they ever had been noted for their "conservative" tendencies on the question of slavery and relations with the South. The General Assembly of that denomination for 1861 resolved:

"That the members of this General Assembly, in the spirit of that Christian patriotism which the Scriptures enjoin, and which has always characterized this Church, do hereby acknowledge and declare their obligation, so far as in them lies, to maintain the Constitution of these United States, in the full exercise of all its legitimate powers, to preserve our beloved Union unimpaired, and to restore its inestimable blessings to every portion of the land."

It would be interesting to quote from the recorded proceedings of the several other leading denominations of the North, expressive of sympathy for the National Administration; but, our point having been sufficiently illustrated, we are not permitted fur-

ther reference to church resolves and addresses.

The clergy were, if possible, in advance of the people. In the pulpit, on the public platform, in newspaper communications, and in conversation, the responsibility of the citizen was their unfailing theme. Their discourses, reported for the daily and weekly press, sped over the country to inspire ardor in the cause of human liberty and order—for such they quite generally regarded the contest. The position so boldly assumed by the designers of the new Southern Government, viz:—that its corner-stone was negro bondage, [see Stephens' Exposition vol. I, page 30,] enlisted the clergy in the struggle from humanitarian, as well as patriotic, motives, and aroused in their breasts all the antagonism which such a retrogressive assumption might be expected to create in the bosoms of Christian men. Hence their sermons fairly scintillated with the eloquence of feeling and the lightnings of their righteous indignation, and thus became potent agents in awakening the masses to a correct apprehension of the great issues involved in the contest. Better had it been for the conspirators against liberty had they, for a season at least, masked their designs. "Whom the Gods would destroy they first make mad," was verified in their case. The avowal of the true character of their Government, their unscrupulous seizure of United States property, their lawless Convention proceedings and usurpations, their early call into the field of an army to drive out the Union garrisons, their reckless assault upon Sumter and their avowed purpose to seize Washington—all combined to alienate from them and their cause not only all the mighty moral and physical energies of the North, but also the intelligence of Europe. Their cause was forth branded with infamy, notwithstanding so many men, made eminent by the Union, had embarked in the revolution. If a few sympathizers for the movement were found in Great Britain it was but natural, considering that "King Cotton" had whispered the moral sense asleep; but, even at the most despondent moment of the Union's fortune the vast majority of England's people ga-

Antagonism Excited  
by the South.



the Southern cause no sympathy. Impudently assuming that one Southern man was equal to three Northerners, and that, for the sake of cotton, both England and France would give the Pro-Slave Confederacy an early recognition, the conspirators plunged headlong into the contest with a recklessness only equalled by its stupidity. Only the sword and the ordeal of trial could undeceive such madmen; and the only compen-

sation which directly came for the appalling disasters of the war was the poor satisfaction of having taught the South its physical inferiority. If the incidental blessings of liberty of conscience, liberty of press, liberty of speech, and liberty of person should follow, in those States where all have been denied with most virulent pertinacity for two generations, the sacrifices in the cause of the Union will not have been in vain.

## CHAPTER V.

MAJOR ANDERSON IN NEW YORK. EXCUSE FOR NOT RE-ENFORCING HIM. FORT PICKENS SAFE. PARTICULARS OF ITS RE-ENFORCEMENT. THE HARPER'S FERRY DESTRUCTION AND EVACUATION. THE NORFOLK (GOSPORT) NAVY-YARD DESTRUCTION. PARTICULARS OF THE AFFAIR. MOVEMENT OF TROOPS UPON ANNAPOLIS. OPERATIONS OF THE "UNION DEFENSE COMMITTEE." WASHINGTON SAFE. RECEPTION OF THE NEW YORK SEVENTH.

Major Anderson's  
New York Reception

APRIL 18th witnessed several events of interest, viz: the arrival of Major Anderson in New York, and his enthusiastic reception; the arrival in New York of the Massachusetts Sixth, and its departure for Washington; the destruction of Harper's Ferry arsenal by fire, and its evacuation by the U. S. garrison under command of Lieutenant Jones. The reception of Anderson was one of the most memorable ovations in the annals of a city noted for its popular demonstrations. The *Baltic's* arrival at Sandy Hook becoming known early in the day, the Bay was soon alive with sail and steam craft making their way to the Narrows to give him welcome. The passage up to the city was like an old-time triumph. Guns boomed from the forts and the Battery. Numberless water-craft, densely loaded with people of all classes, glided around the stately steamer in happy confusion, rendering her progress slow. The air was rent with shouts, huzzas, the whistles of engines, and the ring-

ing of bells—to all of which the city sent up answering notes. The reception at the Battery was impressive and enthusiastic in the extreme—recalling that spectacle when Lafayette received the congratulations of the American people at the same spot. The Major proceeded to his hotel, to become, for a few days following, the recipient of attentions and honors which must have oppressed while they gratified him.

With the *Baltic* returned the re-enforcements dispatched to the Major's relief. The *Harriet Lane*, *Pawnee*, the transport *Baltic*, and tug *Yankee*, it appeared from report of the returned officers of the expedition, neared Charleston Friday morning, April 12th, taking up position near the Swash Channel bar. Over the bar it was found the transport and convoys could not pass. A vessel from Boston, loaded with ice, was seized, and the plan formed of running her in, loaded with troops and provisions, during the darkness of Friday night. Oliver W. Clapp, an old

The non-Re-enforcement.



pilot and third officer of the *Baltic*, was given command of the hazardous expedition. Why it failed of being prosecuted is not definitely stated. Doubtless, a careful reconnoissance showed every approach to the fort to be so swept with cannon as to render certain destruction inevitable. The fleet therefore lay off the harbor, and received Anderson, to steam away to the North. The *Powhatan* had not appeared off Charleston at all. Her mission was to Fort Pickens.

Re-enforcement of  
Fort Pickens.

Pickens was successfully re-enforced on the night of Friday, April 12th. The orders came on Friday, by a bearer of dispatches from Washington, to re-enforce immediately, at all hazards. The *Brooklyn* steam sloop, taking on board the marines from the frigate *Sabine* and the sloop *St. Louis*, bore up as close to the outside shore of Santa Rosa island as the beach would permit. The boats were then lowered and pulled away around the end of the island, silently passing within range of the guns of forts McRae and Barrancas, without being observed. The landing was effected in safety. Lieutenant Albert W. Smith had command of the enterprise. This success induced the order for all the marines of the squadron to embark in small boats. These were taken in tow by the *Wyandotte*, and drawn into the harbor until the range of the rebel guns was reached, when the boats were cut loose and pulled in, in silence. The second landing was successfully made, and Pickens was safe from the threatened assault of the six thousand troops which Bragg was prepared to launch upon the fort at any moment. On Tuesday, the 16th of April, the *Atlantic* steam transport arrived, heavily laden with troops, stores, ordnance, ammunition, horses for heavy service, fascines for batteries, &c., &c., all under the direct charge of Captain Meigs, of the U. S. Engineer Corps. The *Powhatan* steam frigate arrived April 17th. The *Illinois* steam transport arrived April 20th, laden, as was the *Atlantic*, with every appliance of war necessary to place Pickens out of danger. Under Captain Meigs' skillful management the entire cargoes were landed on the beach of the south side of Santa Rosa island, by small boats. The horses were slung in a crane

and dropped overboard to be towed into shore. The troops had previously landed, while the vessels of war were so disposed as to cover the operations in event of an attack, which was looked for every moment. The success of this enterprise intensely angered the enemy, when it became known to them, since it placed the fort beyond their grasp. When the news reached the North, as it soon did by the return of the *Atlantic*, it diffused a sense of relief to all. Captain Meigs received, as he richly merited, the thanks of his loyal countrymen.

The evacuation of Harper's Ferry was consummated on the night of

The Harper's Ferry  
Destruction.

Thursday, April 8th. The secession of Virginia, and the prospective descent upon the Capital, placed the little garrison at the Ferry in danger of capture. Lieutenant R. Jones, in command of the post, was on the alert, keeping himself fully informed of the movements of the conspirators. On Thursday he became aware of the approach of the well-armed detachment of State troops commissioned to seize the arsenal, stores, buildings, &c., and to retain them for their treasonable purposes. He therefore immediately prepared to burn and blow up the entire property of the Government, and to retreat toward Pennsylvania. Early in the evening the little garrison, consisting of but fifty men, commenced preparations for destroying the arsenals and arms in case of necessity. Planks and timbers were cut up to ignite the buildings. They emptied their mattresses, filled them with powder, and carried them into the arsenals. No suspicion was aroused among the people. The arms, fifteen thousand in number, were then placed in the best position to be destroyed by the explosion, and splints of boards and straw were piled up in different places in the shops. At nine o'clock, Lieutenant Jones being advised of the advance of not less than two thousand men, who expected to be upon the place by midnight, he at once proceeded to the work of destruction. The windows and doors of the building were opened, that the flames might have free course. When all was ready, the fires were started in the carpenter-shop, the trains leading to the powder ignited, and



his men marched out. The cry of fire alarmed the town; and just as the officer and his men were entering the lodge to escape, an excited crowd pursued him, threatening vengeance upon him for having fired the buildings. Wheeling his men, he faced the mob. The order, "present arms!" rang out on the night air, and the mob melted away before the gleaming gun-barrels leveled at their heads. The company then fell into line and struck up the canal into the woods, to pursue its weary way to Hagerstown, which place it reached at seven the next morning. From thence the company proceeded by omnibuses to Chambersburg, Pennsylvania, where it arrived unannounced.

The destruction was nearly complete. The Virginia troops, to the number of three thousand, poured into the place during the night and the following morning to find their coveted prize nothing but charred ruins. The armory was not so far destroyed, however, as to render the machinery hopelessly beyond repair; but Virginia ingenuity was not able to make much use of the fine and complicated mechanism which the fire could not consume. Harper's Ferry was thus transferred to the hands of the rebels, and, ere long, became a point around which much military interest centered. The Baltimore and Ohio railway passed into disloyal control, and ceased from that date to connect the East and West—a severe blow to Washington, but a severer one to Baltimore, for the "Monumental City" quickly became a city of deserted marts and ruined commercial enterprises.

Destruction of the  
Norfolk (Gosport)  
Navy-yard, &c.

The destruction of the  
Norfolk Navy-yard was  
the next disaster—the ex-

tent of which it is hard to measure even at the end of time at which we write. That that magnificent property in buildings and material—that immense depot of stores, ordnance, and munitions—that road of fleets and harbor of recourse for the Home Squadron and ships in ordinary, should have been left helpless and exposed to seizure, is not the least of the crimes which attach to Mr. Buchanan's administration; and, that all was given up to the flames and waters, without any effort to save the vessels, the ordnance,

the stores, the munitions,  
the valuable machinery, re-  
flects a shadow upon the

Destruction of the  
Gosport Navy-yard.

judgment of the administration of Mr. Lincoln, which will not be wiped away by the only excuse offered—that of *military necessity*. The story of that stupendous immolation upon the shrine of treason has been variously told; but the following appear to be the facts.

It became known, before the fall of Sumter, that, in event of Virginia's secession, she would seek to "appropriate" the Gosport Navy-yard. Anticipating this, Government, instead of reenforcing the place to a defensive position, preferred an evacuation—as if such a course would reassure the Virginia people of Mr. Lincoln's good faith in professing to desire only peace.\* Stores, under orders for shipment to the Navy-yard, were withheld. Some authorities assert that, prior to the affair of April 21st, several cargoes of stores and property were reshipped to Northern stations. It is certain one cargo was returned, but it was one which had not broken bulk at all, having arrived after the evacuation had been determined upon. The Report of the Investigating Committee (hereafter referred to) stated explicitly that the amount of property destroyed exceeded the sum generally fixed upon as the total loss—showing that but little property could have been removed. That it *might* have been removed, who can doubt? Who shall say that the two thousand cannon, and ammunition enough for a campaign, could not have been quietly sent to Fortress Monroe, the week prior to their hasty abandonment? That they ought to have been removed, *at*

\* See Appendix, page 480, for Cassius M. Clay's statement to the Editor of the *Nashville Democrat*, dated Washington, April 20th, representing that Mr. Lincoln would use force *only in defense of the capital*. Mr. Seward said the same thing in his communication of April 22d, to Governor Hicks. See also Mayor Brown's statement of his interview with Mr. Lincoln, April 21st. The evacuation of Harper's Ferry, it is stated by Mr. Clay, was ordered to favor the peace policy; and though no mention is made of Gosport Navy-yard, its evacuation would seem to have been ordered from the motive ascribed for the withdrawal from Harper's Ferry.



Destruction of the  
Gosport Navy-yard.

*all hazards*, it needed but little military prescience to declare, since their deser-

tion placed the revolutionists in possession of the very *materiel* requisite to enable them to take the field immediately. Those Norfolk guns throughout all the war proved potent agencies for injury. They appeared upon almost every field of battle, and gave to Manassas and Yorktown some of their best artillery and siege ordnance.

The *Pawnee*—having returned from Charleston to Washington on the evening of Friday, April 19th, with an extra detachment of officers and marines, and with Commodore Paulding on board, steamed down to Fortress Monroe, to take on board the entire Massachusetts Third, Colonel Wardrop, and with it to proceed to the Gosport station, where the troops were to assist in the work of destruction.\* With the Commodore's flag at her peak, the *Pawnee* started at seven o'clock, Saturday evening, for the station. At half-past eight she was in Gosport harbor. There lay the first-class frigates, *Cumberland* and *Merrimac*, the fine corvette *Germantown*, the first-class sloop *Plymouth*—all afloat, and mostly ready for immediate service. Also the frigates *Raritan* and *Columbia*, both afloat with their armaments aboard. Also the old liners *Pennsylvania* (armed and in the stream), and the *Columbus* and *Delaware*, in use as store and practice ships. On the stocks, housed, was the immense hulk of the never launched line-of-battle ship *New York*.

The *Pawnee* landed her forces at the dock. The Massachusetts Fourth was detailed as guard to the several gates and avenues of approach, to cover operations within the yard and docks. The marines from the *Pennsylvania*, *Cumberland* and *Pawnee* were then put to the work in hand. All the books, papers and archives of the station were transferred to the *Pawnee*. The movable portion of the *Pennsylvania*'s furniture and stores were transferred to the *Cumberland*. This done, the work of destruction commenced. One who was present, wrote:—

“Many thousand stands of arms were de-

\*It is much to be regretted that Colonel Wardrop's report to Governor Andrew, of this expedition to the Navy-yard, was lost in its transmission.

Destruction of the  
Gosport Navy-yard.

stroyed. Carbines had their stocks broken by a blow from the barrels, and were

thrown overboard. A large lot of revolvers shared the like fate. Shot and shell by thousands went with hurried plunge to the bottom. Most of the cannon had been spiked the day and night before. There were at least fifteen hundred pieces in the yard—some elegant Dahlgren guns, and Columbiads of all sizes.

“It is impossible to describe the scene of destruction that was exhibited. Unweariedly it was continued from nine o'clock until about twelve, during which time the moon gave light to direct the operations. But when the moon sank behind the western horizon, the barracks near the centre of the yard were set on fire, that by its illumination the work might be continued. The crackling flames and the glare of light inspired with new energies the destroying marines, and havoc was carried everywhere, within the limits of orders. But time was not left to complete the work. Four o'clock of Sunday morning came, and the *Pawnee* was passing down from Gosport harbor with the *Cumberland*, the coveted prize of the Secessionists, in tow—every soul from the other ships and the yard being aboard of them, save two. Just as they left their moorings, a rocket was sent up from the deck of the *Pawnee*. It sped high in air, paused a second, and burst in shivers of many-colored lights. And as it did so, the well-set trains at the ship-houses, and on the decks of the fated vessels left behind, went off as if lit simultaneously by the rocket. One of the ship-houses contained the old *New York*, a ship thirty years on the stocks, and yet unfinished. The other was vacant; but both houses and the old *New York* burnt like tinder. The vessels fired were the *Pennsylvania*, the *Merrimac*, the *Germantown*, the *Plymouth*, the *Raritan*, the *Columbia*, the *Dolphin*. The old *Delaware* and *Columbus*, worn out and dismantled seventy-fours, were scuttled and sunk at the upper docks on Friday.

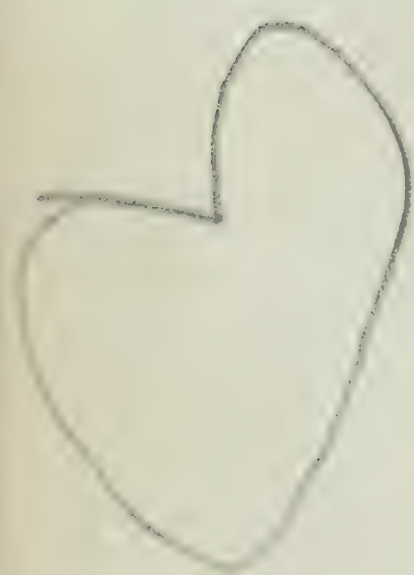
“I need not try to picture the scene of the grand conflagration that now burst, like the day of judgment, on the startled citizens of Norfolk, Portsmouth, and all the surround-





THE BATTLE OF GROSPOINTE, MAY 8, 1810.  
*Engraving*







Destruction of the  
Gosport Navy-yard.

ing country. Any one who has seen a ship burn, and knows how like a fiery serpent the flame leaps from pitchy deck to smoking shrouds, and writhes to their very top around the masts, that stand like martyrs doomed, can form some idea of the wonderful display that followed. It was not thirty minutes from the time the trains were fired, till the conflagration roared like a hurricane, and the flames from land and water swayed, and met, and mingled together, and darted high, and fell, and leaped up again, and by their very motion showed their sympathy with the crackling, crashing roar of destruction beneath. But in all this magnificent scene, the old ship *Pennsylvania* was the centre-piece. She was a very giant in death, as she had been in life. She was a sea of flame, and when 'the iron had entered into her soul,' and her bowels were consuming, then did she spout from every port-hole of every deck, torrents and cataracts of fire, that to the mind of Milton would have represented her a frigate of hell, pouring out unremitting broadsides of infernal fire. Several of her guns were left loaded, but not shotted, and as the fire reached them, they sent out on the startled morning air minute guns of fearful peal, that added greatly to the alarm that the light of the conflagration had spread through the surrounding country. The *Pennsylvania* burnt like a volcano for five hours and a half, before her mainmast fell. I stood watching the proud but perishing old leviathan as this sign of her manhood was about to come down. At precisely nine and a half o'clock, by my watch, the tall tree that stood in her centre tottered and fell, and crushed deep into her burning sides, while a storm of sparks flooded the sky.

"As soon as the *Purnee* and *Cumberland* had fairly left the waters, and were known to be gone, the gathering crowds of Portsmouth and Norfolk burst open the gates of the Navy-yard and rushed in. They could do nothing, however, but gaze upon the ruin wrought. The Commodore's residence, left locked but unharmed, was burst open, and a pillage commenced, which was summarily stopped. As early as six o'clock, a volun-

teer company had taken formal possession in the name of Virginia, and run

Destruction of the  
Gosport Navy-yard.

up her flag from the flag-staff. In another hour, several companies were on hand, and men were at work unspiking cannon, and by nine o'clock they were moving them to the dock, whence they were begun to be transferred, on keels, to points below, where sand batteries were to be built. Notwithstanding the effort to keep out persons from the yard, hundreds found their way in, and spent hours in wandering over its spacious area, and inspecting its yet stupendous works, and comparing the value of that saved with that lost."

This same writer, who, evidently, was in the Commodore's confidence, further added: "There was general surprise expressed that so much that was valuable was spared. The Secessionists forgot that it was only the *immediate agencies* of war that it was worth while to destroy. Long before the workshops and armories, the foundries and ship-wood, left unharmed can bring forth new weapons of offense, this war will be ended. And may be, as of yore, the Stars and Stripes will float over Gosport Navy-yard. All that is now spared will then be so much gained!"

Long before they could be used the war would be ended! What hallucination! In one month's time the harbor was impregnable to approach, and three thousand men were busy restoring the entire property to its full efficiency. The succeeding history of that Navy-yard—of the resurrected guns and restored frigate *Merrimac*—will not fail to reflect severely upon the Department which ordered the destruction and abandonment of the post, and of the miserably inefficient manner in which the questionable order was executed.\*

The report made by the Senate committee (Messrs. Hale, Johnson of Tenn., and Grimes),

\* An amusing construction was placed by Mr. Stephens, in his celebrated Atlanta address, April 30 h. upon the failure of the attempted destruction, wherein he imputed the salvation of the greater portion of the property to a direct interposition of Providence. The speaker's pious congratulations contrasted oddly with the spirit betrayed toward the North by his people.



appointed in July, 1861, to inquire into the circumstances of and reasons for the destruction of property at the Gosport station and at Harper's Ferry, was given to the public April 19th, 1862, in substance as follows :

Investigating Committee's Report. "The Committee relate at length the facts as to the amount of property at the Norfolk Navy-yard, valued at \$9,760,000, the vessels worth nearly \$2,000,000. There were in the yard at least 2000 heavy guns, of which 300 were of the Dahlgren pattern.

"The Administration of Mr. Buchanan must have been perfectly cognizant of the series of events distinctly foreshadowing the civil war about to be enacted ; therefore, the Committee regard it as negligence and dereliction of official duty of the gravest character ; that it was a party to that fatal policy of temporization and negotiation with armed and causeless rebellion against the rightful authority of the laws, and of scrupulous tendencies toward sedition, agencies which seem to have actuated the Government at that time. Want of vigor and decision in the discharge of its duties on the part of the new Administration was to be regarded as strange, if not a failure to appreciate the actual condition of the country, at least until the 10th of April, or thirty-seven days after the expiration of the previous Administration. The Committee can find extenuation in this only in that insane delusion which seemed to have occupied the public mind that the portentous clouds that had blackened the heavens for months, were charged with no real danger, and were to be dissipated by a continuation of forbearance which had been continued so long that it had ceased to be a virtue, and had become the most disgraceful weakness and pusillanimity. Captain McCauley was induced to believe that the peace and security of the yard depended upon preserving the existing state of things, upon doing nothing further to excite the already maddened public feeling, and who was willing to see the Government lie still, and be bound hand and foot, till it should be completely in the power of the insurgents. In the threats and menaces of the mob, exaggerated by the representations of the base and treacherous officers, who surrendered the command, and against whom he was warned, without avail, the Committee find the key to his deplorable conclusion ; and the fact that neither he nor Captain Paulding and Captain Prendergrast now remember or acknowledge the operation of such influences upon their conduct, goes far to show the inconsiderate haste, if not timidity and want of nerve, under which they acted. The Committee cannot understand why Captain Paulding, the special and confidential agent of the Department, should have

felt at liberty to leave within a few hours after his arrival, this yard and the property con-

Investigating Committee's Report.

connected therewith, in the defense of which he was intrusted, without first having determined in consultation with Captains McCauley and Prendergrast upon some definite course to be pursued in the event of imminent danger to or attack upon the yard. The Committee come to the following conclusions :

"*First.* The Administration of Buchanan was guilty of negligence, in taking extraordinary care, and employing every possible means to protect and defend this yard, after indications of danger had manifested themselves.

"*Second.* The Administration of Mr. Lincoln cannot be held blameless, for suffering thirty-seven days to elapse after he came into power before making a movement for the defense of the yard.

"*Third.* Captain McCauley was highly censurable for neglecting to send the *Merrimac* from the yard, as he was ordered, and also for scuttling the ships and preparing to abandon the yard before any attack was made or seriously threatened, when he should have defended it, and the property intrusted to him, repelling force by force, as he was instructed to do, if the occasion should present itself.

"*Fourth.* Captain Paulding was censurable for neglecting to consult with Captain McCauley and Captain Prendergrast, while he was at the yard on the 17th of April, in regard to the course to be pursued in the event of an attack upon the yard, and also for immediately, upon his arrival at the yard on the 20th, ordering the property to be burned, and the yard abandoned, before taking proper means to satisfy himself that any necessity for such measures existed.

"*Fifth.* Captain Prendergrast, in command of the *Cumberland*, the flagship of the Home Squadron, made no suggestions as to the measures proper to be adopted, and seems to have taken no part in the transaction, except to move his ship as he was directed.

"The Committee say they can suggest no remedy for the errors which they think have been proved in this case. So far as the officers of the Navy are concerned, it belongs to the Executive Department of the Government to determine what course shall be pursued.

"The estimation formed by that Department of the conduct of Captains McCauley, Paulding and Prendergrast, has been manifested by leaving the first-named without active duty, and assigning to the others the commands of two of the most important Navy-yards we have left, namely : Brooklyn and Philadelphia.

"In concluding what they have thought it their



duty to say on this subject, the Committee would simply remark, that the lesson afforded by the surrender of the Norfolk Navy-yard will not be wholly without its value to us, if we shall learn by it, as a nation, that pusillanimity in the defense of our rights may be as seriously injurious as the open assaults of our enemies."

An Extraordinary  
Spectacle.

Pending these important transactions, the military movements of the North

were of a nature to excite the astonishment of both the friends and the enemies of the Government. The rapidity with which regiments filled up and hastened southward; the absorption into the ranks, as officers and men, of those occupying, in many instances, eminent positions in commercial, political, religious, and literary circles; the formation of societies devoted to the welfare of the volunteers and their families; the heavy donations of individuals and corporations to the funds of regiments for arming, equipping, and sustaining them; the action of banks and men of wealth in placing immense sums at the disposal of States—all contributed to render the spectacle one of extraordinary solemnity and novelty. The Harper's Ferry and Gosport Navy-yard affairs, the threatened assault on Washington and its isolated condition, the notes of defiance which came up from the South, and the gathering of its armies for a Northern campaign, while they added intensity to the war-spirit of the Free States, also served to assure the people of the necessity for providing for the "common defense"—for an obstinate if not a prolonged struggle.

The sudden call for troops found the General Government in a comparatively helpless condition. With no stores of arms and ordnance to draw upon, no organized subsistence and quartermaster departments, no depots of clothing and camp equipment, no means at its immediate disposal to provide for the immense drains upon its treasury—the emergency was one of peril; but, the patriotism of States, cities, individuals and banks came to the relief, bountifully supplying all that money could secure, though the want of arms was not fully obviated for many anxious months.

One of these agencies, called forth by the

exigencies of the times, The New York  
deserves notice, viz.: the "Union Defense Com-  
mittee."  
"New York Union Defense

Committee"—an organization which grew out of the great Union demonstration of April 20th. Twenty-six influential citizens were named by that meeting as a committee "to represent the citizens in the collection of funds, and the transaction of such other business in aid of the movements of the Government, as the public interest may require." The funds flowed in in heavy amounts, while the New York city authorities soon placed the munificent sum of one million of dollars to be expended under the Committee's management. Thus empowered, the work of assistance commenced; and, as the Committee stated in their report of September 19th, 1861: "Mainly owing to the exertions of the city and citizens of New York, and to the zeal and efficiency of eminent officers, [particularly referring to General Wool,] an army was placed in the field, armed and equipped for the defense of the National cause, in a briefer space of time and with less expenditure of money, than, so far as any record shows, ever before was accomplished by any Government, no matter how great its power, how abundant its resources, or how powerful the motive for its action." We should, also, in justice to New York and her sister Commonwealth, Massachusetts, further quote the Committee's words: "With a generous frankness which confers honor upon the stations they fill, the chief Executive officers of the National Government, and the distinguished Commanding General of the army, have been pleased to say that the safety of the National Capital and the preservation of the archives of the Government at a moment when both were seriously menaced, may fairly be attributed to the prompt and efficient action of the State and city of New York, united with the vigorous efforts of the noble Commonwealth of Massachusetts, devoted to the same patriotic object." As Rhode Island was among the pioneers—having her superb regiment and splendidly-equipped battery in the field with those first forward, that little State of wise heads and busy hands should have been named in this roll of honor.



The report of the Committee stated at length the amount and character of the important services which it rendered—gratuitously, so far as their own time and onerous labors were concerned. From it we learn

The New York Advance Regiments.

that it assisted into the field, and stimulated to the advance of all the splendid regiments of New York Militia which responded to the call and were among the earliest to reach the Capital, viz.: the Seventy-First, Colonel Vosburgh; Sixth, Colonel Pinckney; Twelfth, Colonel Butterfield; Eighth, Colonel Lyons; Fifth, Colonel Schwarzwelder; Sixty-Ninth, Colonel Corcoran; Second, Colonel Tomkins; Ninth, Colonel Stiles; Seventy-Ninth, Colonel Cameron. All these regiments were standing organizations which had only to fill up their ranks and hurry forward to the Capital. They were accompanied by the Brooklyn (New York Militia) regiments, viz.: the Thirteenth, Colonel Smith; Twenty-Eighth, Colonel Bennett; and Fourteenth, Colonel Wood. To all of these the Committee acted as director and paymaster-general. The Ulster Twentieth Regiment of New York Militia completed the quota of the standing militia of the Empire State which quickly found their way to the seat of danger.

Washington Safe.

The Massachusetts Eighth, as stated, piloted the way to Annapolis, preserved the frigate *Constitution* from seizure, and landed to take possession of the railway depot and works preparatory to appropriating the road to Government uses. While the Eighth was prosecuting the work of relaying the track and repairing the bridges, the New York Seventh pushed on ahead, reaching the Junction (eighteen miles) after thirty hours of most arduous tramping and railway repairing. From the Junction it passed to Washington by railroad—arriving at the Capital Thursday, April 18th, to gladden the hearts of all but the many traitors who lingered in the Departments, who infested every public place, who lurked everywhere throughout the city under the guise of citizens—creatures who stood ready to betray the Government to which they had sworn solemn allegiance. It was long before the authorities could purge the city of their

malign presence. Indeed, the city never was free of the unnatural apostates.

The reception extended to the gallant Seventh, was thus chronicled by one

Reception of the New York Seventh.

present: "At the depot they were received with the utmost enthusiasm. But their march down and up Pennsylvania avenue, past the hotels, the State and Treasury Departments, was a triumphal procession. The steps and balconies of the hotels, the windows of the private houses, the doorways of the stores, and even the roofs of many houses, were crowded with men, women and children, shouting, and waving handkerchiefs and flags. Many and brilliant have been the greetings they have received at home and abroad, but never have they been welcomed before with such heartfelt and grateful plaudits.

"The regiment had been looked for day after day and hour after hour, until many had almost adopted the conclusion that the name was a myth, and their existence a very sham. But their appearance at last cheered every heart, and filled many an eye with warm tears of joy and thankfulness. Union men who had hung their heads, now walked erect, and the few Secessionists still in our midst who had been blatant in their sneers at the northern men who were 'invincible in peace and invisible in war,' now slunk away, lest their very presence should excite the loyal men to give them the punishment their treason deserved. Every honor the citizens could devise at the moment, was accorded to them. On their return from the Capitol, they met many ladies with rosettes in their bonnets, and gentlemen with rosettes in their button-holes, and many persons with small flags in their hands.

"The regiment marched past the White House and then wheeling, passed through the west gate, and in front of the President's house. The gateway was thronged with ladies and gentlemen. Mrs. Lincoln sat at one of the open windows, accompanied by several other ladies. The President, accompanied by the Secretaries of State and of War, and surrounded by uniformed United States Army officers, stood upon the sidewalk near the steps, in the broiling sun, with his hat off, towering above the crowd, and here received the marching



salute of the Seventh. There was no speech making. The Quartermaster reported the presence of the regiment, and the Colonel was presented to the President, but beyond this no further ceremony was used."

Their arrival was rapidly succeeded by that of the Massachusetts Eighth, and the

New York Seventy-first and Twelfth, and Governor Sprague's Rhode Islanders—the first influx of that tide of "Northern invaders" who were so soon to press over the Potomac and assure the permanent safety of the National Capital by an invasion of Virginia's "sacred soil."

## CHAPTER VI.

### MARYLAND IN THE THROES OF THE REVOLUTION.

Maryland's Anomalous Position.

THE position of Maryland, for the four weeks succeeding the attack on the Massachusetts Sixth in the streets of Baltimore, was anomalous. Professing loyalty, she still stood arrayed against the Government, and only ceased her opposition to the passage of troops over her soil when opposition became useless. Governor Hicks was at once anxious to preserve the peace and the "neutrality" of his State; and labored earnestly, for a brief period, to restrain the transit through Maryland of the forces and supplies requisite to render Washington safe—thus far submitting to the behests of the pro-Southern faction in the State. The Governor, and most of the men of influence in Maryland, were Unionists, but with such qualifications as rendered them, for a while, distrusted by the General Government—a distrust eventually banished by the position afterwards assumed by Governor Hicks, of open and unqualified support of the Administration.

As late as April 30th, Mr. Stephens proclaimed the safety of Maryland for the Southern cause, saying: "But, the best of all is that Maryland—gallant little Maryland—right under the guns of Lincoln, and the threats of Blair to make it a Free State if the blood of the last white man has to be shed in accomplishing it—*has resolved, to a man, to stand by the South.* She will be ar-

rayed against Abolitionism, and cling to the South: and if she has not delegates

The State welcomed into the Davis Confederacy.

with us now, she is in open defiance of Lincoln and his Government, and will soon be with us even by revolution. The cause of Baltimore is the cause of us all, from the Atlantic to the Rio Grande. Her hands must be held up, and triumph must be assured her." The enthusiastic Vice-President had a basis of truth in his averments, as the "Safety Bill" introduced into the Legislature of the State soon showed. Doubtless that bill was perfected under his own eyes. But, he literally 'counted the chickens before hatching.' Maryland was *not* 'with them to a man,' nor, indeed, would she be able to 'secede,' except by the miserable jugglery of a few revolutionists. The Vice-President's regard for "the cause" would not allow him to make a more correct statement than fell from his lips. It was wanted to "fire the Southern heart."

The history of the thirty days succeeding April 17th would fill a volume. Doubtless it will be given to the world to interest the people of Maryland and all special students of causes and effects bearing on the great rebellion. But, for the general reader, a brief chapter will suffice, showing how the ship of State trimmed and veered to the gale ere she righted and rode out her destiny, securely if not gallantly.



Governor Hicks' Protest.

Against the passage of troops, either through or around Baltimore, the State and city authorities protested, as we have already recorded. Against the use of the route by way of Annapolis, the Governor likewise protested as follows :

“ EXECUTIVE CHAMBER, ANNAPOLIS, }  
Friday, April 23d, 1861. }

“ *To Brigadier-General B. F. Butler :*

“ SIR : Having, by virtue of the powers vested in me by the Constitution of Maryland, summoned the Legislature of the State to assemble on Friday, the 26th instant, and Annapolis being the place in which, according to law, it must assemble ; and having been credibly informed that you have taken military possession of the Annapolis and Elk Ridge Railroad, I deem it my duty to protest against this step ; because, without at present assigning any other reason, I am informed that such occupation of said road will prevent the members of the Legislature from reaching this city.

“ Very respectfully, yours,

“ (Signed) THOMAS H. HICKS.”

General Butler's  
reply.

In General Butler the Governor found both a shrewd lawyer and an able military commander. His reply was characteristic of both qualities :

“ HEAD-QUARTERS U. S. MILITIA, }  
ANNAPOLIS, MD., April 23d, 1861. }

“ *To His Excellency Thomas H. Hicks, Governor of Maryland :*

“ You are credibly informed that I have taken possession of the Annapolis and Elk Ridge Railroad. It might have escaped your notice, but at the official meeting which was had between your Excellency and the Mayor of Annapolis, and the Committee of the Government and myself, as to the landing of my troops, it was expressly stated as the reason why I should not land, that my troops could not pass the railroad because the company had taken up the rails, and they were private property. It is difficult to see how it can be, that if my troops could not pass over the railroad one way, the members of the Legislature could pass the other way. I have taken possession for the purpose of preventing the execution of the threats of the mob, as officially represented to me by the master of transportation of the railroad in this city, ‘ that if my troops passed over the railroad, the railroad should be destroyed.’

“ If the Government of the State had taken possession of the road in any emergency, I should have long hesitated before entering upon it ; but as I had

the honor to inform your Excellency in regard to another insurrection against the laws of Maryland, I am here armed to maintain those laws, if your Excellency desires, and the peace of the United States, against all disorderly persons whatsoever. I am endeavoring to save and not to destroy ; to obtain means of transportation, so that I can vacate the Capital prior to the sitting of the Legislature, and not be under the painful necessity of incumbering your beautiful city while the Legislature is in session. I have the honor to be, very respectfully,

“ Your Excellency's obedient servant,

“(Signed) B. F. BUTLER,

“ Brigadier-General.”

Annapolis was not vacated, nor the railway released from Government control. The outraged Legislature therefore assembled at Frederick, (April 26th,) when the Governor detailed the recent history of affairs in a message, from which we may quote :

“ Believing it to be the design of the Administration to pass over our soil troops for the defense of the City of Washington, and fearing that the passage of such troops would excite our people and provoke a collision, I labored earnestly to induce the President to forego his purpose. I waited upon him in person, and urged the importance of my request. I subsequently communicated with him and his Cabinet by special dispatches, entreating an abandonment of his designs. To all my requests I could get but the reply that Washington was threatened with attack ; that the Government had resolved to defend it ; that there was no other way of obtaining troops than by passing them over the soil of Maryland, and that the military necessity of the case rendered it impossible for the Government to abandon its plans, much as it desired to avoid the dangers of a collision. \* \* \* On Sunday morning last I discovered that a detachment of troops, under command of Brigadier-General Benjamin F. Butler, had reached Annapolis in a steamer, and had taken possession of the practice-ship *Constitution*, which, during that day, they succeeded in getting outside of the harbor of Annapolis, where she now lies. After getting the ship off, the steamer lay outside the harbor, and was joined by another steamer having on board the Seventh Regiment, from New York city. Brigadier-General Butler addressed me, asking for permission to land his forces. It will be seen from the correspondence herewith submitted, that I refused my consent. The Mayor of Annapolis also protested. But both steamers soon afterwards landed and put off their troops. Subsequently other large bodies of troops reached here in transports, and were landed. I was

Governor Hicks' History of Affairs.



Governor Hicks' History of Affairs.

notified that the troops were to be marched to Washington.

They desired to go without obstruction from our people, but they had orders to go to Washington, and were determined to obey those orders. In furtherance of their designs, they took military possession of the Annapolis and Elk Ridge Railroad, in regard to which act I forwarded to Brigadier-General Butler the protest, and received the reply herewith submitted. On Wednesday morning the two detachments landed, and took up the line of march for Washington. The people of Annapolis, though greatly exasperated, acting under counsel of the most prudent citizens, refrained from molesting or obstructing the passage of troops through the city. Seriously impressed with the condition of affairs, and anxious to avoid a repetition of events similar to those which had transpired in Baltimore, I deemed it my duty to make another appeal at Washington. Accordingly, I sent a special messenger with a dispatch to the Administration, advising that no more troops be sent through Maryland; that the troops at Annapolis be sent elsewhere, and urging that a truce be offered with a view of a peaceful settlement of existing difficulties by mediation. I suggested that Lord Lyons, the British Minister, be requested to act as mediator between the contending parties. The result of the mission will be seen from the correspondence herewith submitted. These events have satisfied me that the War Department has concluded to make Annapolis the point for landing troops, and has resolved to open and maintain communication between this place and Washington.

"I honestly and most earnestly entertain the conviction that the only safety of Maryland lies in preserving a neutral position between our brethren of the North and of the South. We have violated no right of either section. We have been loyal to the Union. The unhappy contest between the two sections has not been commenced or encouraged by us, although we have suffered from it in part. The impending war has not come by any act or any wish of ours. We have done all we could to avert it. We have hoped that Maryland and other Border Slave States, by their conservative position and love for the Union, might have acted as mediators between the extremes of both sections, and thus have prevented the terrible evils of a prolonged civil war. Entertaining these views, I cannot counsel Maryland to take sides against the General Government until it shall commit outrages on us which would justify us in resisting its authority. As a consequence, I can give no other counsel than that we shall array ourselves for Union and peace, and thus preserve

our soil from being polluted with the blood of brethren."

Extraordinary pressure was brought to bear on the Legislature, to induce it to

The Public Safety Act.

assume the front of revolution, either by ordering a Convention or by itself adopting an Ordinance of Secession. Neither step was taken; but the Governor's "honest and earnest conviction" of neutrality was embodied in an act providing for the public safety, appointing a Board of Seven, who were to have "full power and authority to provide for the better organization, arming and regulation of the militia." They were clothed with almost supreme authority, being empowered to remove or appoint any officer above the rank of Captain, giving their commission in the name and under the great seal of the State—to adopt any measures, or pursue any course to provide for the safety, peace and defense of the State—to fill all vacancies in their own Board, &c., &c. The oath of office was prescribed. Instead of swearing fealty to the General Government, the Board was to swear not to proscribe any officer "for his political opinion." The act named the gentlemen to constitute the Board, comprising six rank Secessionists and Governor Hicks. This insidious scheme was more fully interpreted by the report of the Committee on Federal Relations, which arraigned the General Government in charges of acts of tyranny and subjugation, and resolving that a committee should wait upon the authorities at Washington to learn what course the President intended to pursue, &c. Governor Hicks thus found himself virtually superseded, and the reign of the revolutionists about to commence.

But the people came to the rescue; and, by their loudly and menacingly uttered protests, fairly scared the conspirators from their game. A very large meeting of the leading citizens of Baltimore convened Saturday evening, May 4th, to publicly express the general indignation felt at the effort to subvert the State Government. Resolutions were passed as follows:

The Public Indignation at the Act.

“Resolved, That the Convention, in the name of the order-loving people of Baltimore, do solemnly protest against the attempt now making in the Legis-

“Resolved, That the Convention, in the name of the order-loving people of Baltimore, do solemnly protest against the attempt now making in the Legis-



lature of Maryland, to inaugurate a military despotism, by the enactment of the bill to create a Committee of Public Safety, which, under a profession of providing for the protection, safety, peace and defense of the State, would, if enacted into a law, confer on an irresponsible body powers which are unconstitutional and tyrannical in principle, and which, by withdrawing from the citizen all guarantees now enjoyed for his individual security, must endanger the public peace, and in the event of the enactment of that bill, we shall esteem it our duty to avail ourselves of all constitutional remedies for defeating its execution, and vindicating public liberty.

"*Resolved*, secondly, That the measures enacted and enacting by the Legislature, are indications of a purpose on the part of a majority thereof to precipitate Maryland into a struggle with the Constitutional authorities of the Union, and to effect by indirect action a result which they acknowledge they are unable to accomplish by direct legislation on the subject, and that we deprecate any effort to change the relations at present existing between the Union and this State, by any authority whatsoever."

A committee was appointed to proceed to Frederick. At Frederick the feeling aroused was anything but promising of peace to the Legislators. A "Home Guard" was organized, composed of some of the best citizens of the place. To the Guard the ladies presented a United States flag. Reverdy Johnson acted as spokesman for the donors, and delivered, to a large crowd, a masterly oration, sustaining the cause of the Union. General Scott was on the *qui vive*, too, to inaugurate a checkmate for any further treason contemplated, and to open the railway routes to the North. At noon of May 5th, the New York Eighth, and, later in the day, the Massachusetts Sixth, appeared, unannounced, at the Relay House Station, at the junction of

Occupation of the  
Relay House Station.

the Baltimore and Ohio with the Washington and Baltimore railway. This occupation, executed under command of General Butler, commanded all communication between Harper's Ferry, Frederick and Baltimore, and menaced the latter city.\* The

\* General Butler's order of May 8th, detailed the circumstances of the occupation, giving the assigned position of the several camps. He also related several incidents illustrative of the devilish spirit which possessed those in Maryland imbued with the seces-

troops in camp at Harrisburg, Chambersburg and York, could be thrown forward at any moment to Cockeysville and Hagerstown. The occupation of the railroad from Philadelphia to the Susquehanna, completed the Union cordon by which revolution in Maryland was slowly but most surely pressed into its hiding-places. May 9th, the Baltimoreans were surprised to learn that their city had again become a highway "Through Baltimore." for the Northern troops.

At three o'clock on the afternoon of that day, transports from Perryville arrived off Locust Point, within the city limits, having on board thirteen hundred troops, consisting of one battery of Sherman's artillery (six pieces and seventy horses) under command of Major Sherman; five companies (420 men) of the Third U. S. (regular) infantry, under command of Major Shepherd; the First Pennsylvania artillery (800 men), under command of Colonel Patterson. The debarkation was made under cover of the *Harriet Lane*, which lay off the Point, with shotted guns and open ports. The city was intensely excited, but there was no mistaking the new order of things. Any violence offered would have been the signal for the bombardment of the city, both by the vessel of war and Fort McHenry—then strongly garrisoned. The entire debarkation was made in order and quiet. The Mayor, with his two hundred special police, was in attendance as soon as he was made aware of the landing; but, his services were not required—the United States officers showed that they were quite able to "keep the peace" themselves. The entire detachment took cars for the Relay House and the Capital.

The Maryland Legislature continued in session, during these movements of the General Government to forestall any act of treason and revolution which might be attempted. Thwarted in their effort to subvert the State Executive, the Legislators were powerless for harm, and contented themselves with preaching treason when they had not the power of

sion virus. One of the Massachusetts men was poisoned by strychnine mixed in cakes, which a peddler was allowed to sell to the soldiers. The miscreant escaped, and all communication with unauthorized persons was immediately cut off.



The Legislature's  
Treason.

the courage to practice it.  
May 10th, the Legislature  
passed the following re-

markable but characteristic resolves :

"Whereas, The war against the Confederate States is unconstitutional and repugnant to civilization, and will result in a bloody and shameful overthrow of our institutions ; and while recognizing the obligations of Maryland to the Union, we sympathize with the South in the struggle for their rights—for the sake of humanity we are for peace and reconciliation, and solemnly protest against this war, and will take no part in it.

"Resolved, That Maryland implores the President, in the name of God, to cease this unholy war, at least until Congress assembles ; that Maryland desires and consents to the recognition of the independence of the Confederate States. The military occupation of Maryland is unconstitutional, and she protests against it, though the violent interference with the transit of Federal troops is discountenanced ; that the vindication of her rights be left to time and reason, and that a Convention, under existing circumstances, is inexpedient."

This was the dregs of the secession cup of bitterness. The vase was shattered and the would-be revellers in revolution dissolved in nothingness—some to retire to the oblivion of their homes, others to seek glory at the cannon's mouth over in Virginia. The President's answer was apparent May 13th, when Baltimore city itself was permanently occupied by Butler's troops. Butler's proclamation, dated from head-quarters on Federal Hill, May 14th, was a document at once well calculated to reassure the frightened loyalists and to intimidate the traitors who still made that city their head-quarters. That move-

Treason Circum-  
vented.

ment, the occupation of Cockeysville, and the opening of the Northern Central railway, completely cornered not only the "Knights of the Golden Circle"—who had arranged their secret machinery to precipitate both Maryland and Kentucky into the arms of the conspirators—but gave the loyal element so much the ascendancy as to checkmate the revolution north of the Potomac. On the 14th of May, Governor Hicks issued his proclamation, calling for four regiments of infantry or riflemen to answer to the President's requisition. The Governor's loyalty was still qualified, for he obtained the "written assurance of the Secretary of War" that the regiments should be detailed to service within the limits of the State, or should only be used for the defense of the Capital. As the "defense of the Capital" might require the Federal troops to push on to Richmond, the Governor's apprehensions in regard to the service of his troops were, doubtless, not very deeply seated.

This ends the chapter of Maryland's disloyalty as a State. Many of her citizens continued to struggle against their destiny by plotting treason, and by giving "aid and comfort" to the enemy ; but they were isolated cases ; and, after the installation of the military process (the suspension of the *habeas corpus* act), the arrest of Marshal Kane of the Baltimore police, and of his coadjutors in conspiracy against the General Government, ended the struggle even with individuals.

Maryland Safe.



## CHAPTER VII.

EXTRAORDINARY SESSION OF THE CONFEDERATE CONGRESS.  
DAVIS' MESSAGE. ITS PERVERSIONS AND PURPOSES. THE ACT  
DECLARING A "STATE OF WAR." SPECIAL LEGISLATION. VIR-  
GINIA ADOPTED INTO THE CONFEDERACY. THE OCCUPATION  
OF HER SOIL. ITS PURPOSES. THE CONFEDERATE CURRENCY  
SYSTEM.

Extraordinary Session  
of the Confederate  
Congress.

THE Confederate Con-  
gress reassembled in extra-  
ordinary session, April 30th.

A full attendance was had of the States' delegates—for the "Congress" was still composed of the delegates elected by the several State Conventions. As these Conventions had been elected by the people simply to consider the *question* of secession, leaving it for the people to decide upon the act and to prescribe the future course of proceeding, their assumption of supreme power had been a most astounding usurpation; but, what was a usurpation within the State became a tyranny when the Convention *appointed* delegates to a "Congress of the Seceded States"; and when those delegates assembled, adopted a Constitution for the Confederate States of North America, sat in secret and unlimited session, enacted laws, elected a President and Vice-President, and installed the entire machinery of a Central power, the tyranny became an absolute despotism. After legislating into active operation this Central power, the Congress adjourned, subject to the call of the President—a call he soon made, as above stated. The self-elected delegates came together, and immediately proceeded to legislate the Confederacy into a state of war, with all its terrible consequences. Civilized society never before witnessed a more unauthorized exercise of such power over a people. In all that revolution the people had only had a voice in the primary election of delegates to a transient and unempowered State Convention. Out of that, by the daring and defiance of a few ambitious men, sprang the

great calamity which was to hurry them all into one common ruin. It became such men to talk of the usurpations of the Lincoln Government! Incomparable hypocrisy!

Upon assembling, the Congress was informed of the purpose of its re-convention, and of the designs of the Confederate Administration, in the following message—in many respects one of the most singular and remarkable documents of the rebellion:

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*"Gentlemen of the Congress:*

"It is my pleasing duty to announce to you that the Constitution framed for the establishment of a permanent Government for the Confederate States has been ratified by Conventions in each of those States to which it was referred. To inaugurate this Government in its full proportions and upon its own substantial basis of the popular will, it only remains that elections should be held for the designation of the officers to administer it.

"There is every reason to believe that at no distant day, other States, identified in political principles and community of interests with these which you represent, will join this Confederacy: giving to its typical constellation increased splendor—to its government of free, equal, and sovereign States a wider sphere of usefulness—and to the friends of constitutional liberty a greater security for its harmonious and perpetual existence.

"It was not, however, for the purpose of making this announcement that I have deemed it my duty to convoke you at an earlier day than that fixed by yourselves for your meeting. The declaration of war made against this Confederacy by Abraham Lincoln, the President of the United States, in his proclamation issued on the fifteenth day of the present month, rendered it necessary, in my judgment, that you should convene, at the earliest practicable



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moment, to devise the measures  
necessary for the defense of the

country.

"The occasion is indeed an extraordinary one. It justifies me in a brief review of the relations heretofore existing between us and the States which now unite in warfare against us, and in a succinct statement of the events which have resulted in this warfare, to the end that mankind may pass intelligent and impartial judgment on its motives and objects.

"During the war waged against Great Britain by her colonies on this continent, a common danger impelled them to a close alliance, and to the formation of a Confederation, by the terms of which the Colonies, styling themselves States, entered 'severally into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to, or attacks made upon them or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.'

"In order to guard against any misconstruction of their compact, the several States made explicit declaration, in a distinct article, that 'each State retains its sovereignty, freedom, and independence, and every power, jurisdiction and right which is not by this Confederation expressly delegated to the United States in Congress assembled.'

"Under this contract of alliance the war of the Revolution was successfully waged, and resulted in the treaty of peace with Great Britain in 1783, by the terms of which the several States were, each by name, recognized to be independent.

"The Articles of Confederation contained a clause whereby all alterations were prohibited, unless confirmed by the Legislatures of every State, after being agreed to by the Congress; and, in obedience to this provision, under the resolution of Congress of the 21st of February, 1787, the several States appointed delegates, who attended a Convention 'for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress and the several Legislatures such alterations and provisions therein as shall, when agreed to in Congress, and confirmed *by the States*, render the Federal Constitution adequate to the exigencies of government and the preservation of the Union.'

"It was by the delegates chosen by the several States, under the resolution just quoted, that the Constitution of the United States was framed in 17-7, and submitted to the several States for ratification, as shown by the seventh article, which is in these words:

"The ratification of the *Conventions of nine States*

shall be sufficient for the establishment of this Constitution between *the States* so ratifying the same.'

"The Constitution of 1787 having, however, omitted the clause already recited from the articles of Confederation, which provided in explicit terms, that each State retained its sovereignty and independence, some alarm was felt in the States when invited to ratify the Constitution, lest this omission should be construed into an abandonment of their cherished principle, and they refused to be satisfied until amendments were added to the Constitution, placing beyond any pretense of doubt, the reservation by the States of all their sovereign rights and powers, not expressly delegated to the United States by the Constitution.

"I have italicised certain words in the quotations just made, for the purpose of attracting attention to the singular and marked caution with which the States endeavored, in every possible form, to exclude the idea that the separate and independent sovereignty of each State was merged into one common Government and nation, and the earnest desire they evinced to impress on the Constitution its true character—that of a compact between independent States.

"Strange indeed must it appear to the impartial observer, but it is none the less true, that all these carefully-worded clauses proved unavailing to prevent the rise and growth in the Northern States, of a political school which has persistently claimed that the Government thus formed was not a compact between States, but was in effect a National Government, set up above and over the States. An organization, created by the States to secure the blessings of liberty and independence against foreign aggression, has been gradually perverted into a machine for their control in their domestic affairs; the creature has been exalted above its creators; the principals have been made subordinate to the agent appointed by themselves.

"The people of the Southern States, whose almost exclusive occupation was agriculture, early perceived a tendency in the Northern States to render the common government subservient to their own purposes, by imposing burthens on commerce as a protection to their manufacturing and shipping interests. Long and angry controversy grew out of these attempts, often successful to benefit one section of the country at the expense of the other. And the danger of disruption arising from this cause was enhanced by the fact that the Northern population was increasing by immigration and other causes in a greater ratio than the population of the South. By degrees, as the Northern States gained

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preponderance in the national  
Congress, self-interest taught  
their people to yield ready as-

sent to any plausible advocacy of their right as a majority to govern the minority without control; they learned to listen with impatience to the suggestion of any constitutional impediment to the exercise of their will; and so utterly have the principles of the Constitution been corrupted in the Northern mind, that in the inaugural address delivered by President Lincoln in March last, he asserts as an axiom which he plainly deems to be undeniable, that the theory of the Constitution requires that in all cases the majority shall govern; and in another memorable instance, the same Chief Magistrate did not hesitate to liken the relations between a State and the United States to those which exist between a County and the State in which it is situated, and by which it was created. This is the lamentable and fundamental error on which rests the policy that has culminated in his declaration of war against these Confederate States.

"In addition to the long-continued and deep-seated resentment felt by the Southern States at the persistent abuse of the powers they had delegated to the Congress for the purpose of enriching the manufacturing and shipping classes of the North at the expense of the South, there has existed for nearly half a century another subject of discord involving interests of such transcendent magnitude as at all times to create the apprehension in the minds of many devoted lovers of the Union that its permanence was impossible.

"When the several States delegated certain powers to the United States Congress, a large portion of the laboring population consisted of African slaves imported into colonies by the mother country. In twelve out of the thirteen States negro slavery existed, and the right of property in slaves was protected by law. This property was recognized in the Constitution, and provision was made against its loss by the escape of the slave. The increase in the number of slaves by further importation from Africa was also secured by a clause forbidding Congress to prohibit the slave-trade anterior to a certain date; and in no clause can there be found any delegation of power to the Congress authorizing it in any manner to legislate to the prejudice, detriment, or discouragement of the owners of that species of property, or excluding it from the protection of the Government.

"The climate and soil of the Northern States soon proved unpropitious to the continuance of slave labor, whilst the converse was the case at the South. Under the unrestricted free intercourse between the two sections, the Northern States con-

sulted their own interests by  
selling their slaves to the South,  
and prohibiting Slavery within

their limits. The South were willing purchasers of property suitable to their wants, and paid the price of the acquisition without harboring a suspicion that their quiet possession was to be disturbed by those who were inhibited, not only by want of constitutional authority, but by good faith as venders, from disquieting a title emanating from themselves.

"As soon, however, as the Northern States that prohibited African Slavery within their limits had reached a number sufficient to give their representation a controlling voice in the Congress, a persistent and organized system of hostile measures against the rights of the owners of slaves in the Southern States, was inaugurated and gradually extended. A continuous series of measures were devised and prosecuted for the purpose of rendering insecure the tenure of property in slaves; fanatical organizations, supplied with money by voluntary subscription, were assiduously engaged in exciting amongst the slaves a spirit of discontent and revolt; means were furnished for their escape from their owners, and agents secretly employed to entice them to abscond; the constitutional provision for their relation to their owners was first evaded, then openly announced as a violation of conscientious obligation and religious duty; men were taught that it was a merit to elude, disobey, and violently oppose the execution of the laws enacted to secure the performance of the promise in the constitutional compact; owners of slaves were mobbed and even murdered in open day, solely for applying to a magistrate for the arrest of a fugitive slave; the dogmas of these voluntary organizations soon obtained control of the Legislatures of many of the Northern States, and laws were passed providing for the punishment by ruinous fines and long-continued imprisonment in jails and penitentiaries of citizens of the Southern States who should dare to ask aid of the officers of the law for the recovery of their property. Emboldened by success, the theatre of agitation and aggression against the clearly-expressed constitutional rights of the Southern States was transferred to the Congress; Senators and Representatives were sent to the common councils of the nation, whose chief title to this distinction consisted in the display of a spirit of ultra fanaticism, and whose business was not 'to promote the general welfare or insure domestic tranquillity,' but to awaken the bitterest hatred against the citizens of sister States by violent denunciations of their institutions; the transaction of public affairs was impeded by repeated efforts to usurp powers not delegated by the Constitution, for the purpose of

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impairing the security of property in slaves, and reducing those States which held slaves

to a condition of inferiority. Finally, a great party was organized for the purpose of obtaining the administration of the Government with the avowed object of using its power for the total exclusion of the slave States from all participation in the benefits of the public domain, acquired by all the States in common, whether by conquest or purchase; of surrounding them entirely by States in which slavery should be prohibited; of thus rendering the property in slaves so insecure as to be comparatively worthless, and thereby annihilating in effect property worth thousands of millions of dollars. This party, thus organized, succeeded in the month of November last in the election of its candidate for the Presidency of the United States.

"In the meantime, under the mild and genial climate of the Southern States, and the increasing care and attention for the well-being and comfort of the laboring class, dictated alike by interest and humanity, the African slaves had augmented in number from about six hundred thousand, at the date of the adoption of the constitutional compact, to upwards of four million. In moral and social condition they had been elevated from brutal savages into docile, intelligent, and civilized agricultural laborers, and supplied not only with bodily comforts, but with careful religious instruction. Under the supervision of a superior race their labor had been so directed as not only to allow a gradual and marked amelioration of their own condition, but to convert hundreds of thousands of square miles of the wilderness into cultivated lands, covered with a prosperous people: towns and cities had sprung into existence, and had rapidly increased in wealth and population under the social system of the South; the white population of the Southern Slaveholding States had augmented from about one million two hundred and fifty thousand, at the date of the adoption of the Constitution, to more than eight million five hundred thousand in 1860, and the productions of the South in cotton, rice, sugar, and tobacco, for the full development and continuance of which the labor of African slaves was, and is, indispensable, had swollen to an amount which formed nearly three-fourths of the exports of the whole United States, and become absolutely necessary to the wants of civilized man.

"With interests of such overwhelming magnitude imperiled, the people of the Southern States were driven by the conduct of the North to the adoption of some course of action to avert the danger with which they were openly menaced. With this view, the Legislature of the several States invited the

people to select delegates to Conventions to be held for the purpose of determining for

themselves what measures were best adapted to meet so alarming a crisis in their history.

"Here it may be proper to observe that from a period as early as 1798 there had existed in all of the States of the Union a party, almost uninterruptedly in the majority, based upon the creed that each State was, in the last resort, the sole judge as well of its wrongs as of the mode and measure of redress. Indeed, it is obvious, that under the law of nations this principle is an axiom as applied to the relations of independent sovereign States, such as those which had united themselves under the constitutional compact. The Democratic party of the United States repeated in its successful canvass in 1856, the declaration made in numerous previous political contests, that it would 'faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; and that it adopts those principles as constituting one of the main foundations of its political creed.'

"The principles thus emphatically announced embrace that to which I have already adverted, the right of each State to judge of, and redress the wrongs of which it complains. The principles were maintained by overwhelming majorities of the people of all the States of the Union at different elections, especially in the elections of Mr. Jefferson in 1805, Mr. Madison in 1809, and Mr. Pierce in 1852.

"In the exercise of a right so ancient, so well established, and so necessary for self-preservation, the people of the Confederate States in their Conventions, determined that the wrongs which they had suffered, and the evils with which they were menaced, required that they should revoke the delegation of powers to the Federal Government, which they had ratified in their several Conventions. They consequently passed ordinances resuming all their rights as sovereign and independent States, and dissolved their connection with the other States of the Union.

"Having done this, they proceeded to form a new compact amongst themselves, by new articles of confederation, which have been also ratified by the Convention of the several States, with an approach to unanimity far exceeding that of the Convention which adopted the Constitution of 1787. They have organized their new Government in all its departments; the functions of the executive, legislative, and judicial magistrates are performed in accordance with the will of the people, as displayed, not merely in a cheerful acquiescence, but in the enthusiastic support of the Government thus established

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by themselves; and but for the interference of the Government of the United States in this legitimate exercise of the right of a people to self-government, peace, happiness, and prosperity would now smile on our land.

"That peace is ardently desired by this Government and people, has been manifested in every possible form. Scarce had you assembled in February last, when, prior even to the inauguration of the Chief Magistrate you had elected, you passed a resolution expressive of your desire for the appointment of Commissioners to be sent to the Government of the United States, 'for the purpose of negotiating friendly relations between that Government and the Confederate States of America, and for the settlement of all questions of disagreement between the two Governments upon principles of right, justice, equity, and good faith.'

"It was my pleasure, as well as my duty, to co-operate with you in this work of peace. Indeed, in my address to you on taking the oath of office, and before receiving from you the communication of this resolution, I had said, 'as a necessity, not a choice, we have resorted to the remedy of separation, and henceforth our energies must be directed to the conduct of our own affairs, and the perpetuity of the Confederacy which we have formed. If a just perception of mutual interest shall permit us peaceably to pursue our separate political career, my most earnest desire will have been fulfilled.'

"It was in furtherance of these accordant views of the Congress and the Executive, that I made choice of three discreet, able, and distinguished citizens, who repaired to Washington. Aided by their cordial co-operation, and that of the Secretary of State, every effort compatible with self-respect and the dignity of the Confederacy was exhausted before I allowed myself to yield to the conviction that the Government of the United States was determined to attempt the conquest of this people, and that our cherished hopes of peace were unattainable.

"On the arrival of our Commissioners in Washington, on the 5th of March, they postponed, at the suggestion of a friendly intermediary, doing no more than giving informal notice of their arrival. This was done with a view to afford time to the President who had just been inaugurated, for the discharge of other pressing official duties in the organization of his administration, before engaging his attention in the object of their mission. It was not until the 12th of the month that they officially addressed the Secretary of State, informing him of the purpose of their arrival, and stating in the language of their instructions their wish 'to make to the Government of the United States overtures for the opening of

negotiations, assuring the Government of the United States that the President, Congress, and people of the Confederate States earnestly desire a peaceful solution of these great questions that it is neither their interest nor their wish to make any demand which is not founded on strictest justice, nor do any act to injure their late confederates.'

"To this communication no formal reply was received until the 8th of April. During the interval, the Commissioners had consented to wave all questions of form. With the firm resolve to avoid war, if possible, they went so far, even as to hold, during that long period, unofficial intercourse, through an intermediary, whose high position and character inspired the hope of success, and through whom constant assurances were received from the Government of the United States of peaceful intentions; of the determination to evacuate Fort Sumter; and further, that no measures, changing the existing *status* prejudicially to the Confederate States, especially at Fort Pickens, was in contemplation, but that in the event of any change of intention on the subject, notice would be given to the Commissioners. The crooked paths of diplomacy can scarcely furnish an example so wanting in courtesy, in candor and directness, as was the course of the United States Government towards our Commissioners in Washington. For proof of this, I refer to the annexed documents marked —, taken in connection with other facts, which I now proceed to relate:

"Early in April the attention of the whole country, as well as that of our Commissioners, was attracted to extraordinary preparations for an extensive military and naval expedition in New York and other Northern ports. These preparations, commenced in secrecy for an expedition, whose destination was concealed, only became known when nearly completed, and on the 5th, 6th, and 7th of April, transports and vessels of war, with troops, munitions, and military supplies sailed from Northern ports bound southward. Alarmed by so extraordinary a demonstration, the Commissioners requested the delivery of an answer to their official communication of the 12th of March, and thereupon received, on the 8th of April, a reply dated on the 15th of the previous month, from which it appears that during the whole interval, whilst the Commissioners were receiving assurances calculated to inspire hopes of the success of their mission, the Secretary of State and the President of the United States had already determined to hold no intercourse with them whatever; to refuse even to listen to any proposals they had to make, and had profited by the delay created by their own selfishness, in order to

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prepare secretly the means for  
effective hostile operations.

retary of War and the papers  
which accompany it, for further  
details of this brilliant affair.

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"That these assurances are given has been virtually confessed by the Government of the United States by its sending a messenger to Charleston to give notice of its purpose to use force if opposed in its intention of supplying Fort Sumter. No more striking proof of the absence of good faith in the conduct of the Government of the United States towards this Confederacy can be required than is contained in the circumstances which accompanied this notice. According to the usual course of navigation, the vessels composing the expedition designed for the relief of Fort Sumter, might be expected to reach Charleston harbor on the 9th April; yet with our Commissioners actually in Washington, detained under assurances that notice should be given of any military movement, the notice was not addressed to them, but a messenger was sent to Charleston to give the notice to the Governor of South Carolina, and the notice was so given at a late hour on the 8th April, the eve of the very day on which the fleet might be expected to arrive. That this manœuvre failed in its purpose was not the fault of those who contrived it. A heavy tempest defeated the arrival of the expedition, and gave time to the commander of our forces at Charleston to ask and receive the instructions of this Government. Even then, under all the provocation incident to the contemptuous refusal to listen to our Commissioners, and the tortuous course of the Government of the United States, I was sincerely anxious to avoid the effusion of blood, and directed a proposal to be made to the commander of Fort Sumter, who had avowed himself to be nearly out of provisions, that we would abstain from directing our fire on Fort Sumter if he would promise not to open fire on our forces unless first attacked. This proposal was refused, and the conclusion was reached that the design of the United States was to place the besieging force at Charleston between the simultaneous fire of the fleet and the fort. There remained, therefore, no alternative but to direct that the fort should at once be reduced. This order was executed by General Beauregard, with the skill and success which were naturally to be expected from the well-known character of that gallant officer; and although the bombardment lasted but thirty-three hours, our flag did not wave over its battered walls until after the appearance of the hostile fleet off Charleston. Fortunately, not a life was lost on our side, and we were gratified in being spared the necessity of a useless effusion of blood by the prudent caution of the officers who commanded the fleet, in abstaining from the evidently futile effort to enter the harbor for the relief of Major Anderson. I refer to the report of the Sec-

"In this connection I cannot refrain from a well deserved tribute to the noble State, the eminent soldierly qualities of whose people were so conspicuously displayed in the port of Charleston. For months they had been irritated by the spectacle of a fortress held within their principal harbor, as a standing menace against their peace and independence. Built, in part, with their own money, its custody confided with their own consent to an agent who held no power over them other than such as they had themselves delegated for their own benefit, intended to be used by that agent for their own protection against foreign attack, they saw it held with persistent tenacity as a means of offense against them by the very Government which they had established for their protection. They had beleaguered it for months—felt entire confidence in their power to capture it—yet yielded to the requirements of discipline, curbed their impatience, submitted without complaint to the unaccustomed hardships, labors and privations of a protracted siege; and when at length their patience was rewarded by the signal for attack, and success had crowned their steady and gallant conduct—even in the very moment of triumph—they evinced a chivalrous regard for the feelings of the brave but unfortunate officer who had been compelled to lower his flag. All manifestations of exultation were checked in his presence. Their commanding General, with their cordial approval and the consent of his Government, refrained from imposing any terms that could wound the sensibilities of the commander of the fort. He was permitted to retire with the honors of war—to salute his flag, to depart freely with all his command, and was escorted to the vessel in which he embarked, with the highest marks of respect from those against whom his guns had been so recently directed. Not only does every event connected with the siege reflect the highest honor on South Carolina, but the forbearance of her people and of this Government of making any harsh use of a victory obtained under circumstances of such peculiar provocation, attest to the fullest extent the absence of any purpose beyond securing their own tranquillity, and the sincere desire to avoid the calamities of war.

"Scarcely had the President of the United States received intelligence of the failure of the scheme which he had devised for the re-enforcement of Fort Sumter, when he issued the declaration of war against this Confederacy, which has prompted me to convoke you. In this extraordinary production, that high functionary affects total ignorance of the existence of an independent Government, which,



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possessing the entire and enthusiastic devotion of its people, is exercising its functions with-

out question over seven sovereign States, over more than five millions of people, and over a territory whose area exceeds half a million of square miles. He terms sovereign States 'combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals by law.' He calls for an army of seventy-five thousand men to act as a *posse comitatus* in aid of the process of the courts of justice in States where no courts exist whose mandates and decrees are not cheerfully obeyed and respected by a willing people. He avows that 'the first service to be assigned to the forces called out' will be, not to execute the process of courts, but to capture forts and strongholds situated within the admitted limits of this Confederacy, and garrisoned by its troops; and declares that 'this effort' is intended 'to maintain the perpetuity of popular government.' He concludes by commanding 'the persons composing the combinations aforesaid,' to wit: the five millions of inhabitants of these States, 'to retire peaceably to their respective abodes within twenty days.'

"Apparently contradictory as are the terms of this singular document, one point was unmistakably evident. The President of the United States called for an army of seventy-five thousand men, whose first service was to be to capture our forts. It was a plain declaration of war, which I was not at liberty to disregard because of my knowledge that, under the Constitution of the United States, the President was usurping a power granted exclusively to the Congress. He is the sole organ of communication between that country and foreign Powers. The law of nations did not permit me to question the authority of the Executive of a foreign nation to declare war against this Confederacy. Although I might have refrained from taking active measures for our defense, if the States of the Union had all imitated the action of Virginia, North Carolina, Arkansas, Kentucky, Tennessee and Missouri, by denouncing the call for troops as a constitutional usurpation of power to which they refused to respond, I was not at liberty to disregard the fact that many of the States seemed quite content to submit to the exercise of the power assumed by the President of the United States, and were actively engaged in levying troops to be used for the purpose indicated in the proclamation.

"Deprived of the aid of Congress at the moment, I was under the necessity of confining my action to a call on the States for volunteers for the common defense, in accordance with the authority you had confided to me before your adjournment. I deemed it proper further to issue proclamation inviting ap-

plication from persons disposed to aid our defense in private armed vessels on the high seas,

to the end that preparations might be made for the immediate issue of *letters of marque and reprisal*, which you alone, under the Constitution have power to grant. I entertain no doubt you will concur with me in the opinion that in the absence of a fleet of public vessels, it will be eminently expedient to supply their place by private armed vessels, so happily styled by the publicists of the United States 'the militia of the sea,' and so often and justly relied on by them as an efficient and admirable instrument of defensive warfare. I earnestly recommend the immediate passage of a law authorizing me to accept the numerous proposals already received.

"I cannot close this review of the acts of the Government of the United States without referring to a proclamation issued by their President under date of 19th inst., in which, after declaring that an insurrection has broken out in this Confederacy against the Government of the United States, he announces a blockade of all the ports of these States, and threatens to punish, as pirates, all persons who shall molest any vessel of the United States under letters of marque by this Government. Notwithstanding the authenticity of this proclamation, you will concur with me that it is hard to believe it could have emanated from a President of the United States. Its announcement of a mere paper blockade is so manifestly a violation of the law of nations, that it would seem incredible that it could have been issued by authority—but conceding this to be the case, so far as the Executive is concerned, it will be difficult to satisfy the people of these States that their late Confederates will sanction its declarations, will determine to ignore the usages of civilized nations, and will inaugurate a war of extermination on both sides, by treating as pirates open enemies acting under authority of commissions issued by an organized Government. If such proclamation was issued, it could only have been published under the sudden influence of passion, and we may rest assured mankind will be spared the horrors of the conflict it seems to invite.

"For the details of the administration of the different Departments, I refer to the reports of the Secretaries which accompany this message.

"The State Department has furnished the necessary instructions for three Commissioners who have been sent to England, France, Russia and Belgium, since your adjournment, to ask our recognition as a member of the family of nations, and to make with each of those powers treaties of amity and commerce. Further steps will be taken to enter into like negotiations with the other European powers,

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in pursuance of your resolution,  
passed at the last session. Suf-  
ficient time has not yet elapsed

since the departure of these Commissioners, for the receipt of any intelligence from them. As I deem it desirable that Commissioners or diplomatic agents should also be sent at an early period to the Independent American Powers south of our Confederacy, with all of whom it is our interest and earnest wish to maintain the most cordial and friendly relations, I suggest the expediency of making the necessary appropriations for that purpose.

“ Having been officially notified by the public authorities of the State of Virginia that she had withdrawn from the Union, and desired to maintain the closest political relations with us which it was possible at this time to establish, I commissioned Hon. Alexander H. Stephens, Vice-President of the Confederate States, to represent this Government at Richmond. I am happy to inform you that he has concluded a Convention with the State of Virginia by which that honored Commonwealth, so long and justly distinguished among her sister States, and so dear to the hearts of thousands of her children in the Confederate States, has united her power and her fortunes with ours, and become one of us. This Convention, together with the ordinance of Virginia, adopting the Provisional Constitution of the Confederacy, will be laid before you for your constitutional action. I have satisfactory assurances from other of our late confederates, that they are on the point of adopting similar measures, and I cannot doubt that ere you shall have been many weeks in session, the whole of the Slaveholding States of the late Union will respond to the call of honor and affection, and by uniting their fortunes with ours, promote our common interests and secure our common safety.

“ In the Treasury Department, regulations have been devised and put into execution for carrying out the policy indicated in your legislation on the subject of the navigation of the Mississippi River, as well as for the collection of revenue on the frontier. Free transit has been secured for vessels and merchandise passing through the Confederate States; and delay and inconvenience have been avoided as far as possible in organizing the revenue service for the various railways entering our territory. As fast as experience shall indicate the possibility of improvement in these regulations, no efforts will be spared to free commerce from all unnecessary embarrassments and obstructions.

“ Under your act authorizing a loan, proposals were issued inviting subscriptions for five millions of dollars, and the call was answered by the prompt subscription of more than eight millions by our own

citizens, and not a single bid was made under par. The rapid development of the purpose of

the President of the United States to invade our soil, capture our forts, blockade our ports, and wage war against us, induced me to direct that the entire subscription should be accepted. It will now become necessary to raise means to a much larger amount to defray the expenses of maintaining our independence and repelling invasion. I invite your special attention to the subject, and the financial condition of the Government, with the suggestion of ways and means for the supply of the Treasury, will be presented to you in a separate communication.

“ To the Department of Justice you have confided not only the organization and supervision of all matters connected with the Courts of Justice, but also those connected with Patents and with the Bureau of Public Printing.

“ Since your adjournment, all the Courts, with the exception of those of Mississippi and Texas, have been organized by the appointment of Marshals and District Attorneys, and are now prepared for the exercise of their functions.

“ In the two States just named, the gentlemen confirmed as judges declined to accept the appointment, and no nominations have yet been made to fill the vacancies. I refer you to the report of the Attorney General, and concur in his recommendation for immediate legislation, especially on the subject of patent rights. Early provisions should be made to secure to the subjects of foreign nations the full enjoyment of their property in valuable inventions, and to extend to our own citizens protection, not only for their own inventions, but for such as may have been assigned to them, or may hereafter be assigned by persons not alien enemies.

“ The patent office business is much more extensive and important than had been anticipated. The applications for patents, although confined under the law exclusively to citizens of our Confederacy, average seventy per month, showing the necessity for the prompt organization of a Bureau of Patents.

“ The Secretary of War, in his report and accompanying documents, conveys full information concerning the force, regular, volunteer and provisional, raised and called for under the several acts of Congress, their organization and distribution. Also an account of the expenditures already made, and further estimates for the fiscal year ending on the 18th February, 1862, rendered necessary by recent events. I refer to his report also, for a full history of the occurrences in Charleston harbor, prior to and including the bombardment and reduction of Fort Sumter, and of the measures subsequently taken for the com-

The Message of  
Jefferson Davis.



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mon defense, on receiving intelligence of the declaration of war against us made by the President of the United States. There are now in the field at Charleston, Pensacola, Forts Morgan, Jackson, St. Phillip and Pulaski, nineteen thousand men, and sixteen thousand are now *en route* for Virginia. It is proposed to organize and hold in readiness for action, in view of the present exigencies of the country, an army of one hundred thousand men. If further force should be needed, the wisdom and patriotism of Congress will be confidently appealed to for authority to call into the field additional numbers of our noble-spirited volunteers, who are constantly tendering service far in excess of our wants.

"The operations of the Navy Department have been necessarily restricted by the fact that sufficient time has not yet elapsed for the purchase or construction of more than a limited number of vessels adapted to the public service. Two vessels purchased have been named the *Sumter* and *Macree*, and are now being prepared for sea, at New Orleans, with all possible dispatch. Contracts have also been made at that city with two different establishments for the casting of ordnance, cannon, shot, and shell, with the view to encourage the manufacture of these articles, so indispensable for our defense, at as many points within our territory as possible.

"I call your attention to the recommendation of the Secretary for the establishment of a magazine and laboratory for preparation of ordnance stores, and the necessary appropriation for that purpose. Hitherto such stores have usually been prepared at the Navy-yards, and no appropriation was made at your last session for this object.

"The Secretary also calls attention to the fact that no provision has been made for the payment of invalid pensions to our own citizens. Many of these persons are advanced in life, they have no means of support, and by the secession of these States, have been deprived of their claim against the Government of the United States. I recommend the appropriation of the sum necessary to pay these pensioners, as well as those of the army, whose claims can scarcely exceed \$70,000 per annum.

"The Postmaster-General has already succeeded in organizing his department to such an extent as to be in readiness to assume the direction of our postal affairs, on the occurrence of the contingency contemplated by the Act of March 15, 1861, or even sooner if desired by Congress. The various books and circulars have been prepared and measures taken to secure supplies of blanks, postage stamps, stamped envelopes, mail-bags, locks, keys, &c. He presents a detailed classification and arrangement of his clerical force, and asks for its increase. An

auditor of the Treasury for this Department is necessary, and a plan is submitted for the or-

ganization of his Bureau. The great number and magnitude of the accounts of this Department require an increase of the clerical force in the accounting branch in the Treasury. The revenues of this Department are collected and disbursed in modes peculiar to itself, and require a special Bureau to secure a proper accountability in the administration of its finances.

"I call your attention to the additional-legislation required for this Department, to the recommendation for changes in the law fixing the rates of postage on newspapers, periodicals and sealed packages of certain kinds, and specially to the recommendation of the Secretary, in which I concur, that you provide at once for the assumption by him of the control of our entire postal service.

"In the military organization of the States, provision is made for Brigadier and Major-Generals; but in the army of the Confederate States the highest grade is that of Brigadier-General. Hence it will no doubt sometimes occur that where troops of the Confederacy do duty with the militia, the General selected for the command and possessed of the views and purposes of this Government, will be superseded by an officer of the militia not having the same advantages. To avoid this contingency in the least objectionable manner, I recommend that additional rank be given to the General of the Confederate army, and concurring in the policy of having but one grade of Generals in the army of the Confederacy, I recommend that the law of its organization be amended, so that the grade be that of General.

"To secure a thorough military education, it is deemed essential that officers should enter upon the study of their profession at an early period of life, and have elementary instruction in a military school. Until such school shall be established, it is recommended that cadets be appointed and attached to companies until they shall have attained the age and have acquired the knowledge to fit them for the duties of Lieutenants.

"I also call your attention to an omission in the law organizing the army, in relation to military chaplains, and recommend that provision be made for their appointment.

"In conclusion, I congratulate you on the fact that, in every portion of our country, there has been exhibited the most patriotic devotion to our common cause. Transportation companies have freely tendered the use of their lines for troops and supplies. The Presidents of the railroads of the Confederacy, in company with others who control lines of

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communication with States that  
we hope soon to greet as sisters,  
assembled in Convention in this

city, and not only reduced largely the rates heretofore demanded for mail service and conveyance of troops and munitions, but voluntarily proffered to receive their compensation at these reduced rates in the bonds of the Confederacy, for the purpose of leaving all the resources of the Government at its disposal for the common defense. Requisitions for troops have been met with such alacrity that the numbers tendering their services have in every instance greatly exceeded the demand. Men of the highest official and social position are serving as volunteers in the ranks. The gravity of age and the zeal of youth rival each other in the desire to be foremost in the public defense; and though at no other point than the one heretofore noticed, have they been stimulated by the excitement incident to actual engagement and the hope of distinction for individual achievement, they have borne what for new troops is the most severe ordeal, patient toil and constant vigil, and all the exposure and discomfort of active service, with a resolution and fortitude such as to command approbation and justify the highest expectation of their conduct when active valor shall be required in place of steady endurance.

"A people thus united and resolved cannot shrink from any sacrifice which they may be called on to make, nor can there be a reasonable doubt of their final success, however long and severe may be the test of their determination to maintain their birth-right of freedom and equality, as a trust which it is their first duty to transmit undiminished to their posterity.

"A bounteous Providence cheers us with the promise of abundant crops. The fields of grain which will, within a few weeks, be ready for the sickle, give assurance of the amplest supply of food for man; while the corn, cotton and other staple productions of our soil afford abundant proof that up to this period the season has been propitious.

"We feel that our cause is just and holy; we protest solemnly, in the face of mankind, that we desire peace at any sacrifice save that of honor and independence; we seek no conquest, no aggrandizement, no concession of any kind from the States with which we were lately confederated; all we ask is to be let alone; that those who never held power over us, should not now attempt our subjugation by arms. This we will, this we must resist to the direst extremity. The moment that this pretension is abandoned, the sword will drop from our grasp, and we shall be ready to enter into treaties of amity and commerce that cannot but be mutually beneficial. So long as this pretension is maintained, with a firm

reliance on that Divine Power which covers with its protection the just cause, we will continue to struggle for our inherent right to freedom, independence and self-government. JEFFERSON DAVIS.

"MONTGOMERY, April 29th, 1861."

This we have called a singular and remarkable document. As a tissue of misconceptions of acts, misconstructions of facts, misstatements of truths, it certainly will bear the character we claim for it. We can leave it to posterity to adjudge its place in the history of the struggle which it essayed to inaugurate and to justify.

The deliberations of the Congress were wholly devoted to providing for a

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state of war. May 6th, the "Act Recognizing a State of War with the United States" was first published. It was almost wholly devoted to specifications for the issue of letters of marque, and for the conduct of privateers. It read, at length, as follows:

"Whereas, The earnest efforts made by this Government to establish friendly relations between the Government of the United States and the Confederate States, and to settle all questions of disagreement between the two Governments upon principles of right, justice, equity, and good faith, have proved unavailing, by reason of the refusal of the Government of the United States to hold any intercourse with the Commissioners appointed by this Government for the purposes aforesaid, or to listen to any proposal they had to make for the peaceful solution of all causes of difficulties between the two Governments; and whereas, the President of the United States of America has issued his proclamation, making requisition upon the States of the American Union for seventy-five thousand men, for the purpose as therein indicated of capturing forts and other strongholds within the jurisdiction of, and belonging to, the Confederate States of America, and has detailed naval armaments upon the coasts of the Confederate States of America, and raised, organized, and equipped a large military force to execute the purpose aforesaid, and has issued his other proclamation, announcing his purpose to set on foot a blockade of the ports of the Confederate States; and whereas, the State of Virginia has seceded from the Federal Union, and entered into a convention of alliance, offensive and defensive, with the Confederate States, and has adopted the Provisional Constitution of the said States, and the States of Maryland, North Carolina, Tennessee, Kentucky, Arkansas, and Missouri have refused, and it is believed that the State of Delaware and the inhabit-



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ants of the Territories of Arizona and New Mexico, and the Indian Territory south of Kansas, will

refuse to co-operate with the Government of the United States in these acts of hostilities and wanton aggression, which are plainly intended to overawe, oppress, and finally subjugate the people of the Confederate States; and *whereas*, by the acts and means aforesaid, war exists between the Confederate States and the Government of the United States, and the States and Territories thereof, excepting the States of Maryland, North Carolina, Tennessee, Kentucky, Arkansas, Missouri, and Delaware, and the Territories of Arizona and New Mexico, and the Indian Territory south of Kansas; therefore,

“SECTION 1. *The Congress of the Confederate States of America do enact*, That the President of the Confederate States is hereby authorized to use the whole land and naval force of the Confederate States to meet the war thus commenced, and to issue to private armed vessels commissions, or letters of marque and general reprisal, in such form as he shall think proper, under the seal of the Confederate States, against the vessels, goods, and effects of the Government of the United States, and of the citizens or inhabitants of the States and Territories thereof, except the States and Territories hereinbefore named. *Provided*, however, that property of the enemy, (unless it be contraband of war) laden on board a neutral vessel, shall not be subject to seizure under this act; and *provided further*, that vessels of the citizens or inhabitants of the United States now in the ports of the Confederate States, except such as have been, since the 5th of April last, or may hereafter be, in the service of the Government of the United States, shall be allowed thirty days after the publication of this act to leave said ports and reach their destination; and such vessels and their cargoes, excepting articles contraband of war, shall not be subject to capture under this act, during said period, unless they shall have previously reached the destination for which they were bound on leaving said ports.

“SEC. 2. That the President of the Confederate States shall be, and he is hereby authorized and empowered to revoke and annul at pleasure all letters of marque and reprisal which he may at any time grant pursuant to this act.

“SEC. 3. That all persons applying for letters of marque and reprisal, pursuant to this act, shall state in writing the name, and a suitable description of the tonnage and force of the vessel, and the name and place of residence of each owner concerned therein, and the intended number of the crew; which statement shall be signed by the person or persons making such application, and filed with the

Secretary of State, or shall be delivered to any other officer or person who shall be em-

ployed to deliver out such commissions, to be by him transmitted to the Secretary of State.

“SEC. 4. That, before any commission or letters of marque and reprisal shall be issued as aforesaid, the owner or owners of the ship or vessel for which the same shall be requested, and the commander thereof for the time being, shall give bond to the Confederate States, with at least two responsible sureties, not interested in such vessel, in the penal sum of five thousand dollars; or if such vessels be provided with more than one hundred and fifty men, then in the penal sum of ten thousand dollars; with condition that the owners, officers and crew, who shall be employed on board such commissioned vessel, shall and will observe the laws of the Confederate States, and the instructions which shall be given them according to law, for the regulation of their conduct; and will satisfy all damages and injuries which shall be done or committed contrary to the tenor thereof, by such vessel, during her commission, and to deliver up the same when revoked by the President of the Confederate States.

“SEC. 5. That all captures and prizes of vessels and property shall be forfeited, and shall accrue to the owners, officers and crews of the vessels by whom such captures and prizes shall be made; and, on due condemnation had, shall be distributed according to any written agreement which shall be made between them; and if there be no such written agreement, then one moiety to the owners, and the other moiety to the officers and crew, as nearly as may be, according to the rules prescribed for the distribution of prize money by the laws of the Confederate States.

“SEC. 6. That all vessels, goods, and effects, the property of any citizen of the Confederate States, or of persons resident within and under the protection of the Confederate States, or of persons permanently within the Territories, and under the protection of any foreign prince, Government, or State in amity with the Confederate States, which shall have been captured by the United States, and which shall be recaptured by vessels commissioned as aforesaid, shall be restored to the lawful owners, upon payment by them of a just and reasonable salvage, to be determined by the mutual agreement of the parties concerned, or by the decree of any court having jurisdiction, according to the nature of each case, agreeably to the provisions established by law. And such salvage shall be distributed among the owners, officers, and crews of the vessels commissioned as aforesaid, and making such capture, according to any written agreement which shall be

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made between them; and in case of no such agreement, then in the same manner and upon the principles hereinbefore provided in case of capture.

"SEC. 7. That before breaking bulk of any vessel which shall be captured as aforesaid, or other disposal or conversion thereof, or of any articles which shall be found on board the same, such captured vessel, goods or effects, shall be brought into some port of the Confederate States, or of a nation or State in amity with the Confederate States, and shall be proceeded against before a competent tribunal; and after condemnation and forfeiture thereof, shall belong to the owners, officers, and crew of the vessel capturing the same, and be distributed as before provided; and in the case of all captured vessels, goods and effects, which shall be brought within the jurisdiction of the Confederate States, the District Courts of the Confederate States shall have exclusive original cognizance thereof, as in civil causes of admiralty and maritime jurisdiction; and the said courts, or the courts, being courts of the Confederate States, into which such causes shall be removed, and in which they shall be finally decided, shall and may decree restitution, in whole or in part, when the capture shall have been made without just cause. And if made without probable cause, may order and decree damages and costs to the party injured, for which the owners and commanders of the vessels making such captures, and also the vessels, shall be liable.

"SEC. 8. That all persons found on board of any captured vessels, or on board any recaptured vessels, shall be reported to the collector of the port in the Confederate States in which they shall first arrive, and shall be delivered into the custody of the marshal of the district, or some court or military officer of the Confederate States, or of any State in or near such port, who shall take charge of their safe keeping and support, at the expense of the Confederate States.

"SEC. 9. That the President of the Confederate States is hereby authorized to establish and order suitable instructions for the better governing and directing the conduct of the vessels so commissioned, their officers and crews, copies of which shall be delivered, by the collector of the customs, to the commanders, when they shall give bond as before provided.

"SEC. 10. That a bounty shall be paid by the Confederate States of twenty dollars for each person on board any armed ship or vessel belonging to the United States at the commencement of an engagement, which shall be burnt, sunk, or destroyed by any vessel commissioned as aforesaid, which shall

be of equal or inferior force, the same to be divided as in other cases of prize money; and

a bounty of twenty-five dollars shall be paid to the owners, officers, and crews of the private armed vessels, commissioned as aforesaid, for each and every prisoner by them captured and brought into port, and delivered to an agent authorized to receive them, in any port of the Confederate States; and the Secretary of the Treasury is hereby authorized to pay or cause to be paid to the owners, officers, and crews of such private armed vessels, commissioned as aforesaid, or their agent, the bounties herein provided.

"SEC. 11. That the commanding officer of every vessel having a commission, or letters of marque and reprisal, during the present hostilities between the Confederate States and the United States, shall keep a regular journal, containing a true and exact account of his daily proceedings and transactions with such vessel and the crew thereof; the ports and places he shall put into, or cast anchor in; the time of his stay there, and the cause thereof; the prizes he shall take, and the nature and probable value thereof; the times and places when and where taken, and in what manner he shall dispose of the same; the ships or vessels he shall fall in with; the times and places when and where he shall meet with them, and his observations and remarks thereon; also, of whatever else shall occur to him, or any of his officers or marines, or be discovered by examination or conference with any marines or passengers of or in any other ships or vessels, or by any other means, touching the fleets, vessels, and forces of the United States; their posts and places of station and destination, strength, numbers, intents, and designs; and such commanding officer shall, immediately on his arrival in any port of the Confederate States, from or during the continuance of any voyage or cruise, produce his commission for such vessel, and deliver up such journal, so kept as aforesaid, signed with his proper name and handwriting, to the collector or other chief officer of the customs at or nearest to such port; the truth of such journal shall be verified by the oath of the commanding officer for the time being; and such collector or other chief officer of the customs shall, immediately on the arrival of such vessel, order the proper officer of the customs to go on board and take an account of the officers and men, the number and nature of the guns, and whatever else shall occur to him on examination, material to be known; and no such vessel shall be permitted to sail out of port again until such journal shall have been delivered up, and a certificate obtained under the hand of such collector or other chief officer of the customs

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that she is manned and armed  
according to her commission;  
and, upon delivery of such cer-

tificate, any former certificate of a like nature which shall have been obtained by the commander of such vessel shall be delivered up.

"SEC. 12. That the commanders of vessels having letters of marque and reprisal as aforesaid, neglecting to keep a journal as aforesaid, or willfully making fraudulent entries therein, or obliterating the record of any material transactions therein, where the interest of the Confederate States is concerned, or refusing to produce and deliver such journal, commission, or certificate pursuant to the preceding section of this act, then and in such cases the commissions or letters of marque and reprisal of such vessels shall be liable to be revoked; and such commander respectively shall forfeit for every such offense the sum of one thousand dollars, one moiety thereof for the use of the Confederate States, and the other to the informer.

"SEC. 13. That the owners or commanders of vessels having letters of marque and reprisal as aforesaid, who shall violate any of the acts of Congress for the collection of the revenue of the Confederate States, and for the prevention of smuggling, shall forfeit the commission or letters of marque and reprisal, and they and the vessels owned or commanded by them shall be liable to all the penalties and forfeitures attaching to merchant vessels, in like cases.

"SEC. 14. That on all goods, wares, and merchandise captured and made good and lawful prizes of war, by any private armed ship having commission or letters of marque and reprisal under this act, and brought into the Confederate States, there shall be allowed a reduction of thirty-three and a third per cent. on the amount of duties imposed by law.

"SEC. 15. That five per centum on the net amount (after deducting all charges and expenditures) of the prize money arising from captured vessels and cargoes, and on the net amount of the salvage of vessels and cargoes recaptured by the private armed vessels of the Confederate States, shall be secured and paid over to the collector or other chief officer of the customs at the port or place in the Confederate States at which such captured or recaptured vessels may arrive, or to the consul or other public agent of the Confederate States, residing at the port or place, not within the Confederate States, at which such captured or recaptured vessels may arrive. And the moneys arising therefrom shall be held, and are hereby pledged by the Government of the Confederate States as a fund for the support and maintenance of the widows and orphans of such persons as may be slain, and for the support and

maintenance of such persons  
as may be wounded and dis-  
abled on board of the private  
armed vessels commissioned as aforesaid, in any en-  
gagement with the enemy, to be assigned and dis-  
tributed in such manner as shall hereafter be pro-  
vided by law."

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The Military Act also passed at an early date, empowered the President to accept all volunteers offering, whether cavalry, mounted riflemen, artillery or infantry, no matter where enlisted, nor whether they came in companies or organized battalions—the President to name all the officers, and to accept the troops for the term of the "existing war."

Virginia was admitted to the Southern Confederacy, in secret session of the Montgomery Congress, May 6th, and her delegates admitted to seats. Messrs. Hunter, Rives, Brockenborough, Staples and Cameron were named as such delegates. The Confederate Government had, however, closed its contract for the State upon the occasion of Mr. Stephens' visit to Richmond in April; for we find the centralization of troops ordered in Virginia openly, immediately after the passage of the Ordinance.

[It was not necessary to wait for the people to vote on that Ordinance. The Confederates were in full possession of the State (and meant to be so) before the day of that vote; and thus, when the day came, to vote the Union ticket was to court arrest and confiscation! But more of this hereafter.]

By April 30th about ten thousand troops were *en route* or in rendezvous for Virginia. The State was farmed out by the dignitaries at Montgomery with as much deliberation as if the "mother of Presidents" had been one of the Original Seven. "To prevent confusion," the Confederate Secretary of War gave Major-General Robert E. Lee control of all forces of the Confederate States in Virginia, May 10th—a temporary concession to the sensibilities of the Virginians, who rather fretted to find their State independence utterly swallowed up in the supremacy of the Southern power. General Lee, ere long, was superseded by General Beauregard; Richmond became the "Capital" of the Confederate States, and Virginia independence was among

"The things that were—  
A school-boy's tale, the wonder of an hour."



May 14th, the Congress passed a resolution calling upon their President to name a day for fasting and prayer. This was done in open session. As only acts of secondary importance were done in open session, the inference was natural that the resolution was harmless—an inference strengthened by the fact that the usual word *humiliation* was omitted from the invocation. That word was too offensive to Southern ears to be used in a resolve of their Congress.

The Confederate  
Exchequer.

May 17th, the Congress authorized the issue of fifty millions of dollars in Confederate bonds, payable in twenty years at an interest not to exceed eight per cent—twenty millions of Treasury notes to issue in lieu of bonds, without interest, of small denominations for general circulation, if the needs of the Departments required. It was a wise substitution. The needs of the Departments did require the twenty millions, and the Treasury notes soon became “generally circulated,” as very few persons cared to keep them longer than necessary. The remaining thirty millions did not sell well—in fact, were not to be sold through the ordinary monetary processes, and further legislation was afterwards resorted to to provide a basis for redemption in order to give the bonds the validity of security. But what *security* could the Confederate Government give? It had no property—it was but an experiment—the State Rights doctrine stripped it of the power of State or local taxation—the blockade rendered the tariff receipts nothing; and thus, there was only “Southern honor” for security. But, even that intangible basis of redemption was suspected. The men who had participated in the celebrated repudiation of Mississippi indebtedness—thereby rendering many a confiding capitalist in Europe and America a beggar—were not implicitly trusted, even by those who had been benefited by the act of repudiation; hence, the sale of the bonds was despairingly slow:—like the snake coming out of its state of torpidity—it seemed as if there never would be sun enough to warm it into life.

Later in the day the shrewd few in power conceived the happy idea of taking cotton for the bonds, storing it in Government depots. Large planters were politely informed

that they were expected to invest a few score of bales, each, in the “National fund.” This vitalized the bonds for a brief period; but, Southern intelligence soon began to comprehend the true nature of the transaction:—The cotton depots might be found wanting of cotton when the day of redemption came. Thus, the Confederate authorities were circumscribed by the “lack of a generous confidence in their ability to meet every emergency”; and, adopting the shinplaster policy of States, corporations and individuals throughout the South, the Government relieved its “pressing necessities” by the emission of Treasury notes to a perfectly limitless extent. It need not amaze another generation that such a baseless currency really became the circulating medium. To refuse a Treasury note was to incur the odium of disloyalty and to run the risk of arrest; therefore, in *self-defense*, the currency was accepted. Gold ere long became unknown in the channels of trade; the extraordinary premium which it soon commanded was not able to draw it from its secret hiding-places. The history of the Confederate currency system, if it can be truthfully written, must prove one of the curiosities of modern literature.

A second financial scheme adopted by the Congress, and approved by Jefferson

Confiscation of  
Northern Claims.

Davis—the person most instrumental in inducing Mississippi to go into repudiation—was the act “prohibiting Southern persons, owing moneys to Northern creditors, from paying the same to such creditors, and providing for the payment of the sums due such creditors into the Treasury of the Confederate States.” As about one hundred and twenty millions of dollars were due to commercial men alone, in the North, this act, if it could be enforced—as it was to some extent—would give the Confederates pocket-money for some time. What with arsenals robbed, forts seized, mints, custom-houses and post-offices appropriated, and Northern debts confiscated, the Confederate Government started off with very fair prospects of “meeting every emergency”; but, alas for it! even these enormous robberies did not suffice for its needs, and the stability of Southern institutions soon became allied to the instability of the shinplaster currency.



Adjournment to  
Richmond.

After much secret legislation looking to a consolidation of its power, the Confederate Congress adjourned (May 21st) to meet at Richmond, Virginia, July 20th. Montgomery for a brief season had sported its Capital honors. It now subsided into its former obscurity—much to the chagrin of its

people, and to the loss of speculators in real estate. Could the disappointed ones have cast the horoscope of the future, they might have seen the Congress flying in terror from Richmond, taking its peripatetic way back again to the “balmy land” where yellow fever was expected to stand sentinel on the ramparts and keep “the Yankees” at bay.

## CHAPTER VIII.

MILITARY ACTIVITY OF THE SOUTH. GOVERNOR PICKENS' ADDRESS. GOVERNOR MOORE'S CALL TO ARMS. DISAPPOINTMENT AND CHAGRIN AT THE DESERTION OF THEIR NORTHERN FRIENDS. DEFIANCE OF THE NORTH. DEFAMATION OF NORTHERN SOLDIERS. SHOCKING FALSEHOODS CONCERNING THE PRESIDENT. TROOPS MOVING INTO VIRGINIA FROM THE SOUTH. THE WOMEN OF THE CONFEDERATE STATES.

Military Organ-  
izations

MOVEMENTS in the Southern States during the latter part of April and in May, indicated great activity in military circles. Much excitement prevailed among the people. The call of Davis for thirty-two thousand five hundred troops, soon following the requisition for nineteen thousand five hundred men, absorbed most of the organized militia and independent companies. “Home Guards” organizations then became popular, into which great numbers of the well-to-do citizens of the South found their way. The enthusiasm of the people seemed to grow with the gathering danger of the hour; and if, in any of the seven “original” Seceded States, any persons entertaining Union sentiments still remained, they were thoroughly awed into silence by the implacable spirit which swept over that whole country like a simoon. The several States prepared to meet the requisitions of the Confederate authorities by creating reserves and a thorough organization of their separate military establishments. The large numbers of officers who had “re-

tired” from the United States army afforded good men in plenty for the work at hand. Many, too, had seen service in Mexico, and on the Texan border. Commissions to competent men did not go begging. The Confederate service already embraced Beauregard, Bragg, McCullough, Ripley, Hardee, Huger, Magruder, Whiting, and others of equal capacity; and the rapidity with which they put their forces in the field, in an effective shape, reflected creditably upon their capacity. The direction of the revolution eventually was committed to the hands of the men whom the United States had nurtured; and the extraordinary obstinacy with which the Southern troops met the fortunes of reverse may be credited as much to their good discipline as to their asserted propensity for fighting.

Governor Pickens strained every nerve to place his State first among the defenders of their soil, in point of equipment, discipline, and effectiveness of her volunteer regiments. The address issued to those

Governor Pickens' Ardor.



called upon the last requisition embodied such inspiring strains as the following: "Hold yourselves in readiness to march at the word to the tomb of Washington, and swear that no Northern Goths and Vandals shall ever desecrate its sacred precincts, and that you will make of it an American Mecca, to which the votaries of freedom and independence from the South shall make pilgrimage through all time. Let the sons of Carolina answer the calls from the sons of Colonel Howard, who led the Maryland line in triumph over the bloody battle-field of Cowpens. Let them know we will return that blood with full interest, and let them feel now as then that we are their brothers. I shall endeavor not to expose our own State, and shall only march you beyond our borders under a pressing emergency; but, wherever the Confederate flag floats, there, too, is our country, now and forever."

Governor Moore's  
Patriotism.

Governor Moore, in calling for his quota of five thousand troops under the

last requisition, gave vent to his patriotism in this characteristic manner:

"The Government at Washington, maddened by defeat and the successful maintenance by our patriotic people of their rights and liberties against its mercenaries in the harbor of Charleston, and the determination of the Southern people forever to sever themselves from the Northern Government, has now thrown off the mask, and, sustained by the people of the non-Slaveholding States, is actively engaged in levying war, by land and sea, to subvert your liberties, destroy your rights, and to shed your blood on your own soil. If you have the manhood to resist, rise, then, pride of Louisiana, in your might, in defense of your dearest rights, and drive back this insolent, barbaric force. Like your brave ancestry, resolve to conquer or perish in the effort; and the flag of usurpation will never fly over Southern soil. Rally, then, to the proclamation which I now make on the requisition of the Confederate Government."

This language showed the undercurrent of disappointment and anger which set in like a flood when it became known that the North was a unit on the question of sustaining the policy of the National Executive. A Mississippi crevasse could not have caused more consternation in New Orleans than the crevasse of the loyal States which bade fair

to be as resistless as the mighty torrent of the river that fed the city with its

Disappointment and  
Chagrin.

life-blood. All the daily press of the Crescent city mourned over the consolidated sentiment of the North, and, like their Governor, used hard words, which disguised neither their apprehensions nor their regret. Thus the *Picayune* said:

"We are unwilling to believe the telegraphic reports of the total apostacy of the majority of the citizens of the city of New York, who have ever professed to be the friends of the South, and the opponents of Black Republicanism, as their vote in the late Presidential contest exhibited. We know that there are good men and true there, who are willing to stand by the South to the last. We have been informed by a gentleman lately from that city, that all the telegraphic reports from thence in relation to this apostacy of New York citizens are enormously exaggerated; if it be not so, the change is certainly extraordinary. What has become of the Union procession of the bone and sinew of New York City, which turned out seven miles in length, in opposition to the Wide-Awakes? We shall wait for confirmation before we are willing to believe in the apostacy of New York City."

Willing to deceive and be deceived to the last. Had the press of the South, knowing the truth, confessed it freely, the people thus fully informed would have hesitated long before incurring the responsibilities of an assault on the Federal Union; but, like the miserable wretch who has tasted the fumes of the *hâsheesh*, the Southern leaders preferred not to be told of their danger. Reason could do little with such perverted men—deaf to the past, dumb to the present, and blind to the future.

In the now popular strain of defiance and defamation

Defiance and Defama-  
tion of the North.

did Mr. Stephens appeal to the masses, in his Atlanta speech, April 30th. He said, among other things:

"What is to take place before the end, I know not. A threatening war is upon us, made by those who have no regard for right! We fight for our homes, our fathers and mothers, our wives, brothers, sisters, sons and daughters, and neighbors! *They for money!* The hirelings and mercenaries of the North are all hand to hand against you.

"As I told you when I addressed you a few days ago, Lincoln may bring his seventy-five thousand soldiers against us; but seven times seventy-five



Defiance and Defamation of the North.

thousand men can never conquer us. We have now Maryland and Virginia, and all the Border States with us. We have ten millions of people with us, heart and hand, to defend us to the death. *We can call out a million of people, if need be; and when they are cut down, we can call out another, and still another,* until the last man of the South finds a bloody grave, rather than submit to their foul dictation. But a triumphant victory and independence, with an unparalleled career of glory, prosperity, and progress, awaits us in the future. *God is on our side, and who shall be against us?* None but his omnipotent hand can defeat us in this struggle."

He also added, to strengthen his point of exciting disgust of the "Vandals" in the minds of the Southern people, the following interesting incidents connected with the occupation of Washington by "Lincoln's hirelings":

"Lincoln has occupied Georgetown Heights. He has from fifteen to twenty thousand soldiers stationed in and about Washington. Troops are quartered in the Capitol, who are defacing its walls and ornaments with grease and filth, like a set of Vandal hordes. The new Senate Chamber has been converted into a kitchen and quarters—cooking and sleeping apparatus having actually been erected and placed in that elegant apartment. The Patent Office is converted into soldiers' barracks, and is ruined with their filth. The Post-office Department is made a storehouse for barrels of flour and bacon. All the Departments are appropriated to base uses, and despoiled of their beauty by those treacherous, destructive enemies of our country. Their filthy spoiliations of the public buildings and works of art at the Capital, and their preparations to destroy them, are strong evidence to my mind that they do not intend to hold or defend the place, but to abandon it after having despoiled and laid it in ruins. Let them destroy it—savage-like—if they will. We will rebuild it. We will make the structures more glorious. Phoenix-like, new and more substantial structures will rise from its ashes. Planted anew, under the auspices of our superior institutions, it will live and flourish throughout all ages."

It would be interesting to show to what an extent Secession orators and presses proceeded in defamation of the character, courage, and strength of the Free State people. The *Raleigh Banner*, in urging the attack on Washington, said: "The army of the South will be composed of the best material that ever yet made up an army; while that of Lincoln will be gathered from the sewers of

the cities—the degraded, beastly offscouring of all quarters of the world, who will serve for pay, and run away as soon as they can when danger threatens." Hundreds of similar notices were set afloat, until the great majority of Southern people were led to believe in their truth. The effect of such shocking falsehoods, upon the minds of the men of the North, who had answered their country's call, was only to aggravate a rapidly-growing detestation of their enemy.

The aspersions of course reached the President. The opinion was assiduously disseminated that Mr. Lincoln was a drunkard and a lascivious man, degrading, in his daily conduct, his high office. Thus the *Richmond Whig*, (April 20th,) had "reliable information" that "Old Abe had been beastly intoxicated for the previous thirty-six consecutive hours, and that eighty border ruffians from Kansas, under command of Lane, occupied the East Room, to guard his Majesty's slumbers." This, coming from a paper which had held out for the Union to a late day, only marked the depth of degradation to which the press of the South was reduced in order to satisfy the demands of the secession spirit. The *New Orleans Delta* (April 29th) repeated the wretched fabrication in this strain: "A gentleman arrived here this morning, who, with several others, was arrested, while passing through Washington, for being Southerners, and were taken into the presence of the august Baboon. He declares that Lincoln was so drunk that he could hardly maintain his seat in the chair. It was notorious in Washington that he had been in a state of intoxication for more than thirty-six hours. The man is nearly scared to death; and few people, in that city, are in a better condition." That these scandalous inventions, passed uncontradicted by those who well knew their infamous falsity, is only one of a thousand evidences of the *designed* deception practiced by the leaders to work the heart of the Southern masses up to a point of frenzy against the Northern people and President.

Atrocious Aspersions of the President.

The movement of troops northward commenced by April 20th—Richmond being the rendezvous. April 23d the Montgomery (Ala.)



Movement of Troops  
North.

*Express* stated that fifty-four hundred men were already in the field and ready to march, and announced that two regiments had started for Virginia.

The First South Carolina regiment of volunteers, Colonel Maxcy Gregg, started "for the seat of war on the Potomac," April 23d. The Charleston *Courier* said: "The call made upon South Carolina has been promptly responded to. Governor Pickens has been perfectly overwhelmed with offers of brigades, battalions, regiments, and companies, all desirous of being accepted as volunteers for Virginia. The reverence felt for her soil by South Carolinians, is only equalled by the spirit and enthusiasm of the people to be the first to defend her, and, if necessary, with the best blood of the State." This sounded large; but, considering that the State, according to the census of 1860, contained only fifty-seven thousand white male adults, it was certain that the "overwhelming" offers would not greatly exceed the entire male population. Yet, this same journal—to illustrate the irresponsible character of Southern journalism—in a previous article assumed that the State had (in April) ten thousand men under arms at Charleston, and twelve thousand in other portions of the State, and had, *besides*, fifty-eight thousand enrolled and organized troops—in all eighty thousand effective men, or twenty-three thousand more than the entire male adult population of the State! Such assumptions were made in the interests of "the cause," and were among the instrumentalities used to inspire the people with confidence in regard to their own resources and abilities to overcome opposition.

The New Orleans papers of April 30th gave glowing accounts of the grand military display of the day previous. Between three and four thousand troops, of all arms of the service, participated. The people of the city

were represented as being very enthusiastic for the war. This display or review was preparatory to the march, North, of Louisiana's quota. The ladies of the city had previously held a meeting (April 23d) to organize a relief association for providing the volunteers with clothing.

And here we may say that the female portion of Southern communities was

The Women of the  
South.

quite as devoted to the war as the most ardent Secessionist could desire. It, ere long, became their pride and boast to say—"my husband," or "my son" or "my brother is in the Confederate army." The making of lint and bandages, the manufacture of clothing, the gathering of funds for the support of the families of volunteers, became their chief occupation. If men faltered in their hope or faith, they had only to hear the not always sweetly worded invective of their maids and matrons against the "ruthless invaders," the "hirelings of old Lincoln," the "barbarians of the New England mills," to re-inspire their wavering ardor in the cause of secession.

The Richmond *Inquirer* of April 27th gave the number of Confederate troops at that point as three thousand and twenty-two. By May 1st the number was increased to sixty-two hundred, and by the middle of the month the force was so large that the permanent line of defense facing the Potomac, was discussed. Norfolk and Harper's Ferry were made secure, Yorktown was occupied; batteries were located on the Potomac, and sufficient troops were posted in the vicinity of Arlington Heights to excite much uneasiness—a feeling only relieved by General Scott's first grand stroke (May 24th), the occupation of the Potomac from Alexandria up to Georgetown, the seizure of the Loudon and Hampshire railway terminus, with cars, locomotive, &c., and of the terminus of the Orange and Manassas Gap railroad.



CHAPTER IX.

MILITARY MOVEMENTS IN THE NORTH. ENORMOUS CONTRIBUTIONS OF FUNDS BY LEGISLATURES, CITIES, &C. GOVERNOR CURTIN'S MESSAGE. THE PRESIDENT'S PROCLAMATION FOR THREE YEARS' TROOPS. THE BLOCKADE ENFORCED. THE MILITARY DEPARTMENTS CREATED. SCOTT'S PLAN OF PROCEEDING. THE CAIRO CAMP. MOVEMENT OF TROOPS. DOING OF BUTLER IN MARYLAND.

The States' Rendezvous.

THE Free States' Governors, without exception, answered the President's call for troops by calling together their respective Legislatures, and by taking such other steps as would hasten the dispatch of the complement first called for. The several rendezvous designated by the War Department, were as follows: New York, N. Y. City, Albany, Elmira; Pennsylvania, Philadelphia, Harrisburg; New Jersey, Trenton; Delaware, Wilmington; Missouri, St. Louis; Illinois, Chicago, Cairo; Indiana, Indianapolis; Ohio, Columbus, Cleveland; Michigan, Detroit; Wisconsin, Milwaukee; Iowa, Keokuk; Minnesota, St. Paul; Maine, Portland; New Hampshire, Portsmouth; Vermont, Burlington; Massachusetts, Springfield; Rhode Island, Providence; Connecticut, New Haven. At these points arrangements were made for quartering the quotas, and for dispatching regiments to the seat of danger, as rapidly as they were organized.

Patriotism of the State Legislatures.

The Legislatures, on assembling, immediately addressed themselves to the questions of finance and military organization demanded by the sudden emergency. As early as April 15th, the New York Legislature (then being in session) voted three million dollars for arming and equipping troops for immediate service. New York city (April 22d) appropriated one million for the same purpose, and five hundred thousand dollars for the support of families of the volunteers. The Vermont Legislature

assembled April 22d, and, on the 25th, voted one million dollars to arm and equip its volunteers. The Legislature of Indiana voted five hundred thousand dollars, April 29th. The New Jersey Legislature met April 30th, and the Governor recommended two million dollars for war purposes. May 3d, the Connecticut Legislature appropriated two millions for the public defense.

These contributions of Legislatures, cities, and towns, amounted, May 7th, to over twenty-three millions of dollars. The record is so honorable that we repeat such as were reported up to the date named :

Enormous Free Contributions.

Albany, N. Y.....	\$46,000	Cam. & Am. R.R. Co.	\$10,000
Auburn, N. Y.....	4,000	Detroit Mich. ....	50,000
Abington, Mass....	5,000	Dunkirk, N. Y.....	20,000
Amesbury, Mass....	5,000	Dover, N. H.....	10,000
Acton, Mass.....	5,000	Damariscotta, Me..	3,000
Boston, Mass.....	186,000	Elizabeth, N. J....	11,000
Brooklyn, N. Y....	75,000	Elkhart, Ind.....	8,000
Bridgeport, Ct.....	31,000	Erie, Pa.....	25,000
Burlington, Vt.....	3,000	Evansville, Ind....	15,000
Bath, Me.....	10,000	Fall River, Mass....	10,000
Batavia, N. Y.....	4,000	Flemington, N. J...	5,000
Buffalo, N. Y.....	110,000	Fond du Lac, Wis..	4,000
Burlington, N. J...	4,000	Gloucester, Mass...	10,000
Bordentown, N. J..	3,000	Glens Falls, N. Y...	10,000
Bradford, Vt.....	2,000	Great Falls, N. H...	10,000
Bridgeton, N. J....	1,000	Greensburg, Ind....	2,000
Bedford, Mass.....	2,000	Georgetown, Mass .	5,000
Bennington, Vt....	10,000	Galena, Ill. ....	1,000
Barre, Mass.....	2,000	Hudson, N. Y.....	4,000
Braintree, Mass....	2,000	Hamilton Ohio.....	1,000
Bedford, N. Y.....	1,000	Hoboken, N. J.....	2,000
Brunswick, Me....	1,000	Hornellsville, N. Y.	1,000
Binghamton, N. Y.	10,000	Hartford, Conn.....	64,000
Connecticut, State..	2,000,000	Harrisburg, Pa.....	5,000
Cincinnati.....	280,000	Illinois, State.....	2,000,000
Charlestown, Mass..	10,000	Indiana, State.....	1,000,000
Chicago, Ill.....	20,000	Iowa, State.....	100,000
Circleville, Ohio....	2,000	Ithaca, N. Y.....	10,000
Clinton, Ill.....	5,000	Indianapolis, Ind...	5,000
Cohasset, Mass....	1,000	Ipswich, Mass.....	4,000
Clinton, N. Y.....	1,000	Jersey City, N. J...	32,000
Concord, Mass.....	4,000	Janesville, Wis....	6,000
Concord, N. H.....	10,000	Kenton, Ohio.....	2,000
Canandaigua, N. Y.	7,000	Keene, N. H.....	10,000
Canton, Mass.....	5,000	Lynn, Mass.....	10,000
Cass County, Ind...	6,000	Lockport, N. Y....	2,000



Lawrence, Mass.....	\$5,000	Rhode Island, State.	\$500,000
Lowell, Mass.....	8,000	Rochester.....	69,000
London, Ohio.....	1,000	Rockland, Me.....	10,000
Lancaster, Pa.....	5,000	Salem, Mass.....	15,000
Lancaster county, Pa.	10,000	Stowe, Mass.....	2,000
Maine, State.....	1,300,000	Schenectady, N. Y.	2,000
Michigan, vari's pl's.	50,000	Seneca Falls, N. Y..	3,000
Mauw, Wis.....	31,000	Stockbridge, Mass..	3,000
Marblehead, Mass...	5,000	Sycamore, Ill.....	4,000
Martins, Mass.....	2,000	St. Albans, Vt.....	10,000
Martins, Ind.....	6,000	Sag Harbor, N. Y..	3,000
Mount Hope, N. J.	3,000	Sar. Springs, N. Y..	2,000
Morestown, N. J....	3,000	Southboro, Mass....	2,000
Mystic, Ct.....	7,000	Syracuse, N. Y.....	34,000
Milison, Wis.....	9,000	Salisbury, Mass ...	5,000
Marboro', Mass....	10,000	Shelburne, Vt.....	1,000
Marshfield, Mass...	5,000	Schuylkill Co., Pa..	30,000
New York State....	3,000,000	Sutton, Mass.....	6,000
New York City.....	2,173,000	Troy, N. Y.....	48,000
New Jersey State...	1,000,000	Toledo, Ohio.....	5,000
Newark, N. J.....	136,000	Taunton, Mass.....	40,000
New Haven, Ct.....	30,000	Utica, N. Y.....	20,000
Norwich, Ct.....	13,000	Upper Sandusky, O.	5,000
New London, Ct....	10,000	Vermont, State.....	1,000,000
N. Brunswick, N. J.	2,000	Wisconsin, State....	225,000
Needham, Mass....	3,000	Weymouth, Mass...	5,000
Newtown, Mass....	8,000	Wilmington, Ohio...	3,000
N. Andover, Mass...	3,000	Waynesville, Ohio..	2,000
Noblesville, Ind....	10,000	Waltham, Mass....	5,000
Newbury, Mass....	3,000	W. Cambridge, Mass.	10,000
Newburyport, Mass.	4,000	Woodstock, Vt.....	1,000
Ohio, State.....	3,000,000	Watertown, N. Y...	3,000
Oswego, N. Y.....	13,000	Warsaw, N. Y.....	3,000
Ottawa, Ill.....	18,000	Watertown, Mass...	2,000
Pennsylvania, State.	3,500,000	Waterford, N. Y...	8,000
Philadelphia.....	330,000	Westboro', Mass....	8,000
Plymouth, Mass....	2,000	West Troy, N. Y...	7,000
Poughkeepsie, N. Y.	10,000	Woburn, Mass.....	5,000
Piqua, Ohio.....	20,000	Warsaw, N. Y.....	3,000
Petersen, N. J.....	10,000	Woodbury, Conn....	5,000
Portland, Me.....	31,000	Webster, Mass.....	4,000
Princeton, N. J....	2,000	Xenia, Ohio.....	14,000
Palmyra, N. Y.....	6,000	Zanesville, Ohio....	3,000
Quincy, Mass.....	10,000		
Total.....	\$23,277,000		

### The Pennsylvania Legislature assembled April 30.

### The Message of Governor

Curtin may be referred to as indicative of the spirit which animated the State Executives—to which the Legislators fully responded. The abstract report was as follows:

"Gov. Curtin's Message on the opening of the extra session, speaks of the unexampled promptness and patriotism with which Pennsylvania and other loyal States have responded to the call of the President. It says that the slaughter of Northern troops in Baltimore, for the pretended offense of marching at the call of the Federal Government peaceably over soil admittedly in the Union, with the object of defending the common Capital, imposes new duties and responsibilities on the State and Administration. This state of things cannot be submitted to, whether Maryland may profess to be loyal to the Union or otherwise. There can be permitted no hostile soil, no obstructed thoroughfare, between the States undoubtedly loyal and their National seat of Government. There is reason to hope that the route through Baltimore may be no longer closed against the peaceable passage of our people armed in the service of the Government, but we must be fully assured of this, and uninterrupted enjoyment of the

passage to the Capital, by any and every route essential to the purposes of the Government, must be attained peaceably if possible, but by force of arms if necessary. The time for temporizing and forbearing with this rebellion is past. On Saturday last an additional requisition was made for twenty-five regiments of infantry, and one of cavalry. There have been more companies tendered than will make up the entire complement. The Governor communicates the fact that the Banks of the Commonwealth have voluntarily tendered any amount of money necessary for the common defense and general welfare of the State and nation. The loan of five hundred thousand dollars is not yet exhausted, as it is impossible to have the accounts properly settled; but a much larger sum will be required. The Legislature has been convened not only to complete the reorganization of the militia laws of the State, but to give the Governor authority to pledge the faith of the Commonwealth to borrow such sums of money as may be necessary for the extraordinary requirements. In order to protect the border, he recommends the immediate organization of fifteen regiments of cavalry and infantry, exclusive of those called into the service of the United States. He recommends the act legalizing the authorizing of appropriations of corporations for the families of volunteers."

The additional requisition referred to was not made public until May 3d,

The President's  
Second Call for Troops.

when the President issued the following proclamation:

"WASHINGTON, Friday, May 3d, 1861.

"Whereas, existing exigencies demand immediate and adequate measures for the protection of the National Constitution and the preservation of the National Union by the suppression of the insurrectionary combinations now existing in several States for opposing the laws of the Union and obstructing the execution thereof, to which end a military force in addition to that called forth by my Proclamation of the fifteenth day of April, in the present year, appears to be indispensably necessary, now, therefore, I, Abraham Lincoln, President of the United States, and Commander-in-Chief of the Army and Navy thereof, and of the militia of the several States when called into actual service, do hereby call into the service of the United States forty-two thousand and thirty-four volunteers, to serve for a period of three years, unless sooner discharged, and to be mustered into service as infantry and cavalry. The proportions of each arm and the details of enrollment and organization will be made known through the Department of War; and I also direct that the regular army of the United States be increased by the addition of eight regiments of infantry, one regi-



The President's  
Second Call for Troops.

ment of cavalry, and one regiment of artillery, making altogether a maximum aggregate increase of twenty-two thousand seven hundred and fourteen officers and enlisted men, the details of which increase will also be made known through the Department of War; and I further direct the enlistment, for not less than one nor more than three years, of eighteen thousand seamen, in addition to the present force, for the naval service of the United States. The details of the enlistment and organization will be made known through the Department of the Navy. The call for volunteers, hereby made, and the direction for the increase of the regular army, and for the enlistment of seamen hereby given, together with the plan of organization adopted for the volunteers and for the regular forces hereby authorized, will be submitted to Congress as soon as assembled.

"In the mean time I earnestly invoke the co-operation of all good citizens in the measures hereby adopted for the effectual suppression of unlawful violence, for the impartial enforcement of Constitutional laws, and for the speediest possible restoration of peace and order, and with these, of happiness and prosperity throughout our country.

"In testimony whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done at the City of Washington, this third day of May, in the year of our Lord one thousand eight hundred and sixty-one, and of the Independence of the United States the eighty-fifth.

"Signed, ABRAHAM LINCOLN.

"By the President,

"WILLIAM H. SEWARD, Secretary of State."

Prior to this the President had issued his second Proclamation of blockade (April 27th) covering the coasts of North Carolina and Virginia—thus sealing them from commerce. Virginia oysters, pine wood and tobacco, and North Carolina rosin and tar languished on their lagunes and river banks, and those States found that their revenues almost instantly ceased. Nothing was left for their people to do but to fight or starve; therefore the cry "to arms!" became as suddenly popular as the loss of trade had been complete.

The blockade squadron was organized as rapidly as the demoralized state of the navy would allow. The shocking disorder reigning in that arm of the service (see Vol. I, pages 439-444,) when the Lincoln Administration assumed its control, rendered it a work of ex-

treme labor to put in commission the vessels required for the immediate emer-

Enforcement of the  
Blockade.

gencies of the war, without any reference to demands for the blockade service. It was indeed, only by the hearty co-operation of merchants, ship-owners and masters, founders and builders, that the Secretary of the Navy was enabled to meet the requisitions for transports and convoys; yet his assiduity extended to the imperative requirements of the blockade; and, one by one, the ports designated were placed under the *surveillance* of the Union flag. It was fully nine months before the immense coast-line from Fortress Monroe to Brownsville could be so patrolled with cruisers and guarded by local ships as to render egress and ingress impossible; but from the very day the first vessel appeared off the leading harbors, the commerce of those ports ceased almost as completely as if a bar had grown across their channels. The world never before witnessed a fleet created as rapidly; nor has any modern Government ever been called upon to perform so vast a service which was performed as well. That, out of the almost interminable lagunes of the Southern coast—where available harbors opened through every few leagues of sand and swamp—a few small craft should have "broken through the blockade" is not singular: or, that the many mouthed ports of New Orleans, Savannah and Charleston should have sent cargoes to, and received them from, the Bermudas and Cuba, or from England direct, in swift-sailing steamers, is not evidence of the inefficiency of that block-

English Interference

ade, when the intricacies of the coast are fully understood, or the cupidity of English traders is appreciated. It is to the dishonor of the English Government that it sought to force the blockade, so far as to make one of its nearest and most available islands—that of New Providence—a regular rendezvous for Southern vessels. The port of Nassau became, during the pendency of the war, a regular port of entry and transshipment for goods bound to and from the rebellious States. Loads of arms, munition, ordnance, clothing, &c.—all contraband of war—found their way into the South through the vigilance and daring of a few English



commanders.\* That all was done with the full knowledge of the authorities, both at the island and in England, admits of no question. The American people will be slow to forget the commercial history of Nassau in 1861-2; and that the reckoning will be fully paid with interest, is the solemn purpose of every American citizen.

The steam frigate *Minnesota*, flag-ship of the blockading squadron, sailed on duty from Boston, May 8th. At the same date the frigate *Cumberland*, the *Pawnee* and *Monticello*, with the tug and gunboat *Yankee*, were off Fortress Monroe, closing up the mouths of James and York rivers; while the four steamers of the Aquia Creek line, heavily armed, were cruising up and down the Potomac—thus sealing Virginia commerce by sea. The Confederate authorities, apprehending that the naval force gathering at Hampton Roads might be destined for the reoccupation of Norfolk, sent thither heavy detachments of troops, to man the batteries erected on Craney Island, Sandy Point, at the Hospital, one near Norfolk fort, and one three miles below the Hospital, on the bluffs. All these points of defense were rapidly made effective, and were kept in a high state of efficiency. As early as May 5th, one thousand and one hundred Alabamians were in the defenses. At the same date, about ten thousand troops were encamped in and around Norfolk, and at the Navy-yard barracks. An immense force of laborers hastened to restore the property of the yard to its old condition, and soon had the satisfaction of placing over fifteen

hundred guns—many of them superb Columbiads and Dahlgrens—at the disposal of the Confederate authorities.

May 11th, the steam frigate *Niagara* arrived off Charleston bar and sealed the main entrance against commerce. Savannah was not closed until May 28th, when the gunboat *Union* appeared off the river mouths. The *Brooklyn* appeared off the Mississippi mouths May 27th. Mobile was blockaded the same day. Prior to this (May 22d) the fortifications at Ship Island, which had been seized by the Confederates, were abandoned.

The President's proclamation for three years' troops indicated the vigor

Military Departments  
Created.

with which the Administration had determined to meet the emergency. April 27th, the three military Departments of Washington, Annapolis, and Pennsylvania were created, their commands being given, respectively, to Colonel J. K. F. Mansfield, United States Army, Brigadier-General of Volunteers B. F. Butler, and Major-General of Volunteers Patterson. To these were added, May 10th, the Department of the Ohio, including Ohio, Indiana, and Illinois, of which the command was assigned to Major-General of Ohio Volunteers, Geo. B. McClellan. At the same date an order was issued requiring all officers of the regular service to take and subscribe anew the Oath of Allegiance to the United States. This order was rendered necessary by the still remaining number of officers who, if not traitors, so far sympathized with their Southern friends as to be unsafe servants of their country. The order produced the good effect of securing several desired resignations from the regular service. Thus sifted, the regular officers became thoroughly reliable; and they formed the nucleus for the order and organization which rapidly sprung up throughout the entire Army of the Union.

The Department of Virginia, embracing Eastern Virginia and North and South Carolina, was created May 20th, and the command given to B. F. Butler, promoted to be Major-General of Volunteers, May 16th.

General John A. Dix was named Major-General of New York Volunteers, May 6th. He soon assumed command of

\* An incident illustrative of the length of English presumption was had in the case of the fast steamer *Fingal*, which loaded in England with a heavy cargo of rifles, ordnance, stores, &c., and started, with the full knowledge of the English authorities, to run the blockade. She succeeded, by her fleetness, in getting into Savannah. The presumption of the transaction was in the English Consul of Savannah sending the crew of the vessel North, under the protection of the English flag, demanding their unrestricted passage, as English subjects, to some Northern port, for return to England! They were of course forbidden to pass the lines, and sent back to enjoy the fruits of their ill-gotten gains. Their vessel was afterwards burnt, to keep her from the guns of the American squadron.



the troops organizing in New York City, under State orders.

Disposition of Northern Troops.

All these commands were assigned to men qualified for the field. The immense aggregation of troops at Washington, Fortress Monroe, and at the camps in Pennsylvania and the Western States, rendered field officers for superior command immediately called for. The activity of the rebels left no doubt of their purposes to surround Washington by a net-work of available approaches, with the eventual design of seizing Maryland, and thus to become possessors of the National Capital. To this not very well laid scheme of advance the Federal General-in-Chief interposed his well-arranged plan for removing the scene of hostilities into the rebel territory. The concentration at Fortress Monroe gave occupation to the enemy for a large "army of observation" at Norfolk, Hampton and Yorktown, to guard the approaches to Richmond. The large camp at Chambersburg so evidently menaced Harper's Ferry and covered the west of Maryland, as to make it necessary for the rebels to create an "army of observation" at the Ferry and at Leesburg. The occupation of Cairo, April 20th, and a concentration at that point of a strong force under Colonel Prentiss, made it evident that any expedition up the Ohio or Mississippi would fail; and compelled the formation at Hickman and Columbus of another "army of observation." Governor Yates of Illinois, in announcing the reasons for the occupancy of Cairo, by Special Message to the Legislature, said: "Simultaneously with the receipt of the order from the War Department for the movement, reliable information reached me of the existence of a conspiracy by disaffected persons in other States to seize upon Cairo and the southern portion of the Illinois Central railroad, and thus cut off communication with the interior of the State." The appointment of McClellan to the command of the Department of the Ohio was made with reference to a campaign in Western Virginia, to assist the Wheeling Convention in re-establishing the loyal Government, and to drive out of that section of the State all forces and local organizations of the Secessionists. The enemy

soon found reason to feel that General Scott meant offense as well as defense.

The passage of troops from the Eastern and Middle States during the fourth

The First Regiments on Duty.

week of April, fully tasked the ability of the railways and available steam-transports. The New York Seventy-first, Twelfth and Sixth sailed Sunday, April 21st, followed by the Rhode Island First. All these regiments arrived, under convoy of the gun boat *Harriet Lane*, off Annapolis, April 23d, to find just entering the harbor the Massachusetts Fifth. Within six days Massachusetts had placed *en route* for the Capital five full regiments of infantry, a battalion of rifles and a finely equipped battery of six guns.

April 23d, the Sixty-ninth, Thirteenth and Eighth regiments New York militia left for Annapolis. As an evidence particularly of the spirit of loyalty pervading the Irish-American citizens, we may mention the fact that sixty-five hundred names were enrolled on the lists of the Sixty-ninth, from which the Colonel, Corcoran, had to choose the one thousand and ten men required.

April 24th, the New York militia regiment, the Twenty-fifth, from Albany, was in the city, *en route* for Annapolis. One hundred and seventy-five recruits for the New York Seventh, also sailed in the steamer *Daylight* direct for Washington, under charge of Captain Viele. This steamer reached the Capital on the morning of April 28th, being the first passage up the Potomac of a transport with troops.\*

\* Colonel Schouler, Adjutant-General of Massachusetts, dispatched Captain Dodd of the Third battalion of rifles, May 1st, on the propeller *Cambridge* with orders to proceed up the Potomac. The order said: "It is the earnest desire of the Governor that the ship *Cambridge* shall reach Washington, and demonstrate that a Massachusetts ship, armed with Massachusetts men, shall be the first to arrive by that route, as our Sixth regiment was the first to arrive at Washington through the hostile city of Baltimore." The order was fulfilled, and the *Cambridge* landed her troops in Washington May 3d; but the honor of the first arrival, by the Potomac, belongs to Captain Viele and the New York Seventh. The Colonel also is in error in ascribing to Massachusetts the honor of having been the first at the Capital with her troops. To Pennsylvania belongs the



Treasonable Elements  
of Baltimore.

The military occupation of Maryland already has been adverted to. [See Chap. VI.] The watchfulness of Butler's troops kept the would-be revolutionists in a condition of apprehension more exciting than gratifying to them. Finding that the military force present in and around Baltimore was equal to the suppression of any attempted demonstration against the Union, the Secessionists sought to aid and comfort their cause by such secret means as lay in their power. Men were enlisted for the Southern army, and daily left for Harper's Ferry in squads. This enlistment was not discouraged by the Federal authorities, for every recruit made one less cut-throat to deal with. The men whose sympathies for the South were most violently expressed, belonged, as a general thing, to a class of rowdies whose reign in Baltimore had given the "Monumental City" an unenviable reputation for disorder, and their absence was a source of no regret to any friend of good government. There were, however, a number of old families in that city whose attachment to the South and its peculiar institution was stronger than their love for the Union, and in them the Government found its most virulent enemies. Their at first open demonstrations against the Federal authority soon assumed a more secret course of proceedings. It was their influence which controlled the revolutionary Legislature. Their power Governor Hicks was made to fear. Their money, freely used, armed the secret societies which were afterwards discovered to exist throughout the State, giving the military considerable employment in ferreting out depots of arms. Their influence swayed the police of Baltimore and rendered it necessary, after a brief period, to suspend that organization entirely. Although but a mere score in numbers, as in other sections of the Slave States those "old families" exercised a sway as unaccountable

honor. She had over four hundred troops at Washington, on the morning of the fourth day after the issue of the President's Proclamation, the Massachusetts troops reaching the Capital on the evening of that day, the 19th. These are immaterial points; but, as the pride of States is concerned, we prefer to recite the facts with precision.

as it was demoralizing to the dignity of free labor and honest industry.

Among these we should mention the family of Wi-

The Winans' Family.

nans, whose great wealth and eminent social position gave it a wide influence. The proprietors of extensive iron works, the Winans' controlled a large number of laboring men and mechanics—rendering them powerful, as their wealth made them dangerous, foes to their country. Their large foundry was closed to the wants of the Federal Government, but open to the enemy. Their money was not wanting when the Southern cause demanded. Against their baleful influence Government was constrained soon to exert its fullest authority.

May 11th, Butler was informed of the passage from Baltimore to Frederick, *en route* to Harper's Ferry, of a suspicious-looking box mounted on a carriage. It was seized by his order, and found to contain the Winans' Steam Gun—an ugly weapon, designed to *mow* down ranks of men at each sweep of its exhaustless tube. Ross Winans himself, the head of the family, was arrested by order of General Butler at the Relay House, May 14th, on his return from the just adjourned session of the Legislature, of which he was a prominent member. Against this arrest Governor Hicks again "protested" by exerting himself for Winans' release, but Butler placed the old gentleman under guard until he could confer with the authorities at Washington.

The day prior to this evidently pre-determined arrest of the old conspira-

Final Occupation of  
Baltimore.

tor, Butler occupied the city with a force comprising the Boston Light Artillery, Major Cook; a strong detachment of the Sixth Massachusetts regiment, Colonel Jones; and about five hundred men of the New York Eighth, Lieutenant-Colonel Waltenburg. The camp chosen was on Federal Hill. This step was preliminary to the occupation of Patterson's Park and Murray Hill—heights which placed the city entirely under the guns of the Federal troops, and covered Fort McHenry on the land side. As all these positions were higher than the Fort, their possession by an enemy would render that fine work untenable; and as the Confederates had arranged



for a Maryland campaign, the necessity for the occupation and entrenching was apparent. Butler's proclamation (May 14th) was pervaded with the decision of a stern military commandant, but it brought a sense of security and of protection. His occupation of the city was welcomed by the great majority of its people. The entry of the troops into the city was the occasion of much rejoicing. The *Baltimore Clipper* said: "On the route to the Hill the streets were thronged with people, who greeted the military with cheers at every step, the ladies at the windows and doors joining in the applause by waving their handkerchiefs." This reception came from the citizens, from householders, those who had all at stake in the preservation of law and order, and was, doubtless, all the more hearty from the experience of mob-law and violence which had so nearly ruined the city. From the date of that proclamation the cloud which had overshadowed the city began to dissipate, but it was long before the place recovered from the malign effects of its twenty days of treason and rebellion.

#### Large Seizures of Arms.

Large seizures of arms followed the advent of Butler's forces. May 14th, it was ascertained that a vessel lay at the dock loaded ready for Virginia. Being boarded by an officer, she was found to contain a cargo of Minie rifles and about four thousand pikes, from Winans' machine shops. The vessel was removed to the vicinity of Fort McHenry. The same day Butler relieved Marshal Kane of a large quantity of arms found stored in a warehouse, consisting of fifteen dray loads of carbines, flint-lock muskets and pikes, from Winans' shops. All were taken to Fort McHenry. The opposition offered by this Superintendent of Police, Geo. P. Kane, and his complicity with treason, soon induced his arrest and incarceration in a military jail. Governor Hicks for some

#### Governor Hicks' Defense.

days rested under the odium of having ordered, or assented to, the destruction of the railway bridges. He denied this, and gave his opinion of this Kane as follows:

"If the Mayor's communication and accompanying certificates have induced any person to doubt my

true position in the premises, I respectfully ask a suspension of judgment until a sufficient time be afforded me to collect the necessary proof, and show as I shall be able to do, most conclusively, that the destruction of the bridges was a part of the conspiracy of those acting against the Government, and was known and proclaimed in other parts of the State before the destruction was consummated. But any person who knows my opinion of George P. Kane and Enoch L. Lowe, will at once admit that I would be very slow to assent to any proposition emanating from or endorsed by them. Their introduction into my chamber at the late hour of the night, to urge my consent to the perpetration of an unlawful act, was not calculated to convince me of the propriety or necessity of that act. Men do not readily take counsel of their enemies."

After the occupation of the Relay House and Baltimore, troops from the North passed freely, by railroad, to the Capital, by the Northern Central and Wilmington routes. The Baltimore and Ohio road was not open even for passenger travel, after the 12th of May—the possession of Harper's Ferry giving the Confederates entire control of the track. Up to that date, the trains ran irregularly, and with some restrictions; but, the blowing up of culverts to the west of the Potomac, compelled the entire through traffic of the road to cease.

May 16th, Butler was relieved of the command of the Department of Annapolis—having been created Major-General, with order to repair to Fortress Monroe. Brigadier-General of Pennsylvania volunteers, Cadwallader was placed in command of the vacated Department, head-quarters at Fort McHenry in Baltimore.

That the Federal Government proposed war of offense in its own defense became evident by the middle of May. Butler was placed in command at Fortress Monroe for active operations. Fifteen thousand troops—including all the Massachusetts contingents and several of the New York military regiments—were placed at his disposal and soon found themselves in quarters at the extremity of the York peninsula. When the movement was ordered, Scott had definitive arrangements for the descent over the Potomac and only awaited the election in Virginia (May 23d,) to order the first step forward.

The Federal Government's Plan.



the campaign. The heavy concentration of troops at Washington looked less like defense than advance. The seizure, May 20th, of telegraphic dispatches, indicated a determination to ferret out all secret conspirators yet at work in the North—a stroke of policy which quite as greatly terrified the manufacturers and importers of arms, as the hidden enemies of the Government. Up to the last moment, when delivery by Adams' Express was practicable, the operators in fire-arms had freely filled Southern orders, and the Express Company had freely transported the "goods" to their Southern branch lines. When the moment came for cutting off all communication with the Southern States in rebellion, the Express Company preserved its chartered rights by splitting the corporation into two sections—the Adams' Express South

and the Adams' Express North. If Government had examined the secret archives of that carrier company, it would doubtless have obtained enlarged ideas of its industry and usefulness to the South.

Before chronicling the movements over the Potomac initiated by the advance of May 24th, it will be necessary to advert to the progress of affairs in Virginia, Tennessee, North Carolina, Arkansas, Kentucky and Missouri—the first four to place themselves beside the South, the latter two to vacillate and experiment with "neutrality," but finally to act out their really loyal sentiments by giving a hearty support to the Federal Administration. The narrative is one of melancholy interest, but one offering "food for thought," and rich with a moral which the future may render available.

## CHAPTER X.

### VIRGINIA.

How the Ordinance  
was Passed.

THE secession of Virginia has been chronicled. [See page 92 for the Ordinance.]

The act was accomplished, in secret session of the Convention, April 17th, by a vote of 60 to 53. That it was passed at all was owing to threat, bribery, intimidation, and a free use of the parliamentary "gag." Up to that moment the Union men had stood firm, and were then placed in the minority only by the system of terrorism resorted to by Governor Wise and his adherents to *force* the State into the vortex. The unusual concession was granted of submitting the Ordinance to a vote of the people, (May 23d;) but, this concession was merely to secure the votes of a few wavering men. Events which quickly followed demonstrated that it was a deception of an infamous character—one en-

tirely in consonance with the malign spirit which had controlled the secession re-

volution in other States. No sooner was the vote on the Ordinance recorded than legislative steps were taken to convey the State to the Confederate Government. April 25th, Governor Letcher proclaimed the passage, by the Convention, of an Ordinance *adopting the Provisional Constitution of the Confederate States*, and announcing, also, that the Convention had agreed to a "convention between the Commonwealth of Virginia and the Confederate States!" If the Unionists in the State had believed that the people were to decide the question of secession they were now undeceived. Their State was *transferred* to the Southern Confederacy, and the proposed vote on the Ordinance became, from that hour,

How the Ordinance  
was Passed.



the merest mockery. We place on record those two precious documents sealing Virginia's doom and registering the dishonor of her controlling men :

The Deed of Transfer. *"An ordinance for the adoption of the Constitution of the Provisional Government of the Confederate States of America."*

"We, the delegates of the people of Virginia, in Convention assembled, solemnly impressed by the perils which surround the Commonwealth, and appealing to the Searcher of Hearts for the rectitude of our intentions in assuming the grave responsibility of this act, do by this ordinance, *adopt and ratify* the Constitution of the Provisional Government of the Confederate States of America, ordained and established at Montgomery, Alabama, on the eighth day of February, eighteen hundred and sixty-one ; provided that this ordinance shall cease to have any legal operation or effect if the people of this Commonwealth, upon the vote directed to be taken on the ordinance of secession passed by this Convention, on the seventeenth day of April, eighteen hundred and sixty-one, shall reject the same.

"A true copy.

"JNO. L. EUBANK, Secretary."

*"Convention between the Commonwealth of Virginia and the Confederate States of America."*

"The Commonwealth of Virginia, looking to a speedy union of said Commonwealth and the other Slave States with the Confederate States of America, according to the provisions of the Constitution for the Provisional Government of said States, enters into the following temporary convention and agreement with said States, for the purpose of meeting pressing exigencies affecting the common rights, interests, and safety of said Commonwealth and said Confederacy.

"1st. Until the union of said Commonwealth with said Confederacy shall be perfected, and said Commonwealth shall become a member of said Confederacy, according to the Constitution of both powers, the whole military force and military operations, offensive and defensive, of said Commonwealth, in the impending conflict with the United States, shall be under the chief control and direction of the President of said Confederate States, upon the same principles, basis, and footing as if said Commonwealth were now, and during the interval, a member of said Confederacy.

"2d. The Commonwealth of Virginia will, after the consummation of the union contemplated in this Convention, and her adoption of the Constitution for a Permanent Government of said Confederate States, and she shall become a member of said Confederacy under said Permanent Constitution, if the

same occur, turn over to said Confederate States all the public property, naval stores, and munitions of war, &c., she may then be in possession of, acquired from the United States, on the same terms and in like manner as the other States of said Confederacy have done in like cases.

"3d. Whatever expenditures of money, if any, said Commonwealth of Virginia shall make before the Union under the Provisional Government, as above contemplated, shall be consummated, shall be met and provided for by said Confederate States.

"This convention was entered into and agreed to in the city of Richmond, Virginia, on the twenty-fourth day of April, 1861, by Alexander H. Stephens, the duly authorized Commissioner to act in the matter for the said Confederate States, and John Tyler, William Ballard Preston, Samuel McD. Moore, James P. Holcombe, James C. Bruce, and Lewis E. Harvie, parties duly authorized to act in like manner for said Commonwealth of Virginia ; the whole subject to the approval and ratification of the proper authorities of both Governments respectively.

"In testimony whereof, the parties aforesaid have hereto set their hands and seals the day and year aforesaid and at the place aforesaid, in duplicate originals.

"ALEXANDER H. STEPHENS, [Seal.]

"Commissioner for Confederate States.

"JOHN TYLER, [Seal.]

"WM. BALLARD PRESTON, [Seal.]

"S. McD. MOORE, [Seal.]

"JAMES P. HOLCOMBE, [Seal.]

"JAMES C. BRUCE, [Seal.]

"LEWIS E. HARVIE, [Seal.]

"Commissioners for Virginia.

"Approved and ratified by the Convention of Virginia, on the 25th day of April, 1861.

"JOHN JANNEY, President.

"JOHN L. EUBANK, Secretary."

Troops actually were ordered to Richmond from Alabama, Georgia, and South Carolina *before* the date of "ratification" of this contract of sale, and, by April 25th, several regiments were *en route* for the Northern rendezvous at Richmond.

The reign of terror was now fairly inaugurated. The Reign of Terror. Union men were silenced ; Northern men doing business, or having settled, in Virginia, were compelled to flee, leaving everything in the way of property to the mercy of the mob. One who fled from the scene of violence May 1st, wrote : "Northern and ultra Union men began to leave the State in large numbers,



## The Reign of Terror.

and by every possible means of conveyance. Many who

could not get away became, outwardly, Secessionists, and were thus protected. To prevent the escape of improper or suspected persons, the Mayor of Richmond issued a proclamation forbidding the organization of Vigilance Committees, or Committees of Safety, and ordering the people to give him information of any person '*suspected*' of being disloyal to Virginia, and he would order their arrest and trial. A number of arrests were immediately made, and the jailer's business became quite lively. The operation of this law, or proclamation, was similar to that under which New England witches were arrested and put to death. To be '*suspected*' was sufficient cause of arrest. No person was allowed to leave Richmond without a *pass*. At first the Governor gave them—then the Mayor, or a deputized police officer: and they gave passes to whom they pleased. A number of men escaped who were obliged to leave everything behind them; with them it was a question of life or death, and as life was dearer than property, they saved the first by abandoning the latter. *Men* were not alone the objects of this persecution; the Richmond *Dispatch* impudently ordered the Northern female teachers to '*shut their mouths*,' and that '*a word to the wise was sufficient*.' "

What wonder that, when the day of voting on the Ordinance came, only thirty-two thousand votes were polled against it? What wonder that the people residing west of the Blue Ridge mountains, should repudiate the whole atrocious proceedings, and should proceed to reorganize the State Government on its old basis of loyalty to the Federal Government?

The reign of tyranny hastened the development of events. If treason had lurked in shadow, waiting for the moment to strike, its moment was now come and every restraint was removed—the revolutionists had entire sway. May 3d, Governor Letcher, snuffing the battle afar off, found ample excuse in the gathering hosts at Washington for issuing the following manifesto, calling out the militia, of whom many thousands were already under arms:

"The sovereignty of the Commonwealth of Vir-

ginia having been denied, her Territorial rights assailed, her soil threatened with invasion by

Governor Letcher's  
Call for Troops.

the authorities at Washington, and every artifice employed which could inflame the people of the Northern States and misrepresent our purposes and wishes, it becomes the solemn duty of every citizen of this State to prepare for the impending conflict. Those misrepresentations have been carried to such an extent that foreigners and naturalized citizens who, but a few years ago, were denounced by the North and deprived of essential rights, have now been induced to enlist into regiments for the purpose of invading this State, which then vindicated those rights and effectually resisted encroachments which threatened their destruction. Against such a policy and against a force which the Government at Washington, relying upon its numerical strength, is now rapidly concentrating, it becomes the State of Virginia to prepare proper safeguards. To this end and for these purposes, and with a determination to repel invasion, I, John Letcher, Governor of the Commonwealth of Virginia, by authority of the Convention, do hereby authorize the commanding General of the military forces of this State, to call out, and to cause to be mustered into the service of Virginia, from time to time, as the public exigency may require, such additional number of volunteers as he may deem necessary.

"To facilitate this call, the annexed schedule will indicate the places of rendezvous at which the companies called for will assemble upon receiving orders for service."

The reception of the news of the issue, by the President, on the same day, of his proclamation calling for three years' troops, doubtless confirmed the Governor's "worst apprehensions," and gave the madmen some idea of the nature of the lion they had aroused.

These high-handed proceedings, in forcing the State into an attitude of

Union Uprising in  
Western Virginia.

offense, found bitter opponents and public expressions of indignation in those sections of the Commonwealth where the mob did not rule, and where the Confederate troops had not yet found their way. As early as May 4th, a large Union meeting was called at Kingwood, Preston county, at which the voice was unanimous for a division of the State, in order that the Western section might continue to be represented in the Federal Congress. The meeting expressed its unalterable hostility to secession, and took steps looking to a Convention of the Western counties. The



Union Uprising in  
Western Virginia.

movements of the merchants of Wheeling indicated the gathering storm.

These patriotic men resolved to pay no tax "to support the usurped Government at Richmond." The resolutions rang out with the ring of the old spirit which said—"We pay King George no further tribute!" These meetings were the little beginnings from whose results sprang the new Government of Virginia, which the President recognized as the true and only loyal Government of the State, and whose representatives to the National Congress were admitted to seats.

The Last Act of  
Tyranny.

Virginia was fully adopted into the Southern Confederacy May 6th, by act

of the Confederate Congress. Two of her delegates were then sworn in and took their seats. As the people were not to vote upon the Ordinance of Secession until May 23d, this admission demonstrates with what disregard of the people the Conventions and the Congress acted. Overriding voters was part of the "system" of the Southern Government to which Mr. Stephens, in his celebrated Exposition (see pages 63-64) had not adverted; but, the contempt generally entertained, in the South, of their own poor whites—the aristocratic idea upon which the institution of slavery itself was founded—the stigma fixed upon all white working men and mechanics by the "ruling classes"—render it easy to believe that, in the "new order of things," the democratic principle of a majority rule was not to be accepted. The Slave owners, breeders and traders comprised but a meagre minority of the entire white population of the South; yet, this minority was resolved to rule, and *for that* dis severed their relations with the Free States.

The Few to Rule the  
Many.

That, even in Virginia, "the people" were to be made subservient to the

few, is susceptible of easy proof. The entire conduct of the Slave interest throughout the secession revolution, and the final steps taken to link the fortunes of the State to the Slave Confederacy *before* the people could exercise any voice in the transaction, is evidence of the purposes of those conspirators against democracy. The press in the South—sub-

servient, to a contemptible degree, to the sentiments of the slaveholding few—was not slow to betray the aristocratic tendency of the revolution proposed.\* The Richmond *Examiner*, early in May, wrote:

"In the Northern States exists the government of pure Democracy. The lowest, most ignorant, and coarsest part of the whole people, who make the majority of it, control the action of the Government by the immediate exercise of their volition, impress upon it their violence, their instability of opinion and fickleness of feeling, and render it, in all respects, the agent of their crude and unfounded ideas of a moment.

"The essence of the Constitution of the United States was representative Democracy. But the continual strides of innovation, guided by demagogues, have destroyed the representative principle in the Northern States. Public officers in those countries reflect the popular feeling of the moment, instead of that National sentiment and opinion that is formed after experience and second thought. *In this the South is wholly different from the North. The lowest*

\* The communication of Commodore Stewart ("Old Ironsides") to Mr. Childs, of Philadelphia, (under date of May 4th, 1861,) regarding his interview with John C. Calhoun in the latter part of December, 1812, is so interesting as bearing on this point that we may quote:

"I observed, with great simplicity, 'You in the South and South-west are decidedly the aristocratic portion of this Union. You are so in holding persons in perpetuity in slavery; you are so in every domestic quality; so in every habit of your lives, living and actions; so in habits, customs, intercourse and manners; you neither work with your hands, head, nor any machinery, but live and have your living, not in accordance with the will of your Creator, but by the sweat of Slavery; and yet you assume all the attributes, professions and advantages of Democracy.'"

"Mr. Calhoun replied: 'I see you speak through the head of a young statesman, and from the heart of a patriot; but you lose sight of the politician and the sectional policy of the people. I admit your conclusions in respect to us Southrons—that we are essentially aristocratic. I cannot deny but we can and do yield much to Democracy; this is our *sectional policy*. We are from necessity thrown upon and solemnly wedded to that party, however it may occasionally clash with our feelings, for the conservation of our interests. It is through our affiliation with that party in the Middle and Western States, we control, under the Constitution, the governing of the United States; but, when we cease thus to control this Nation through a disjointed Democracy, or any material obstacle in that party which shall tend to throw us out of that rule and control, we shall then resort to the dissolution of the Union. The compromises in the Constitution, under the then circumstances, were sufficient for our fathers, but, under the altered condition of the country from that period, leave to the South no resource but dissolution; for no amendments to the Constitution could be reached through a Convention of the people and their three-fourths rule.'"



*part of the population here are slaves, have nothing to do with the Government, and no influence on its policy. The character and political action of the country originates with the SUPERIOR INTELLIGENCE, and is supported steadily."*

Loyal Western  
Virginia.

Western Virginia was loyal. Settled almost entirely by non-slaveholders, its people were not subjected to the tyranny of the "dominant" class. The quite general circulation, through that section, of newspapers, gave the people more enlarged and correct ideas of public affairs than prevailed in the Eastern portion of the State, from which Northern newspapers were studiously excluded. As one consequence, the few Secessionists were powerless to control the people to their behests; and such men as Clemens and Carlisle found hearty response to their Union-loving sentiments.

May 9th, the Governor's agent arrived at Grafton, in Western Virginia, to open the rendezvous for troops called out under the Governor's requisition. Informed of his presence, the people waited upon the "agent," ordering him to leave the place within twenty-four hours, which he did, and no troops assembled at the call.

On the contrary, however, an *active* loyalty, from that moment, began to prevail, and eleven companies, sworn into the United States volunteer service, were in camp, at the Fair Grounds, in Wheeling, by May 20th. The two first, on this roll of honor, were the commands of Captains Britt and Stephens.

Judge Thompson's  
Charge.

Prior to the Convention at Wheeling, (May 13th,) Judge Thompson, of the Circuit Court of Wheeling District, delivered a charge to the Grand Jury, (May 10th,) in

which he discussed the question of a separation from the Eastern section of the State, and adverted to the supremacy of the General Government. His views unquestionably represented those of the most influential class. He favored a separation if it were done with the power of law and legislative procedure; and, though he denied the right of the United States Government to *invade* the State, he conceded the right of resistance to treason, and therefore the necessity for the presence of Government forces where treason existed.

At the important Convention held in Wheeling, May 13th, the preliminary

The Wheeling Con-  
vention.

proceedings were taken for a regularly elected Convention. The fourth day of June was named as the day of election, and the eleventh of June the day of the assemblage of the elected delegates to take action concerning a reorganization of the State Government. The spirit betrayed by the leading men in that primary gathering—where about twenty counties were represented—left no doubt of the entire loyalty of the movement. While the hosts of Jefferson Davis were gathering at all good strategic positions to meet the threatened Union advance, the people west of the Blue Ridge mountains were not left to the mercy of rebel bayonets, for the General Government had, by the advice of the Governors of Ohio, Indiana, Illinois, and Pennsylvania, arranged to throw forward General McClellan's column, at once, to afford the people and the Convention proper protection, and to threaten the rebel occupation of Harper's Ferry by a flank and rear movement.



## CHAPTER XI.

### THE CRISIS IN TENNESSEE. A DARK PAGE IN HISTORY. THE SECESSION OF NORTH CAROLINA AND ARKANSAS.

Tennessee Going. TENNESSEE'S vote, February 9th, on the question "Convention" or "No Convention," resulted in an overwhelming Union triumph (see Vol. II, page 24). This announcement for the time being reassured the country of that State's loyalty; but, the extraordinary revulsion of feeling created by the attack on Sumter and the President's proclamation for troops, swept away, at a dash, the "conservatism" of Tennessee, and soon arrayed her on the side of treason. The Governor's answer to the requisition, already quoted (see page 99), was the key-note of the *miserere* to follow. The Unionists staggered before the storm which the demons of discord evoked; and, though their influence was predominant enough, for the moment, to place the State in a position of "Neutrality," even that cloak for treason was soon cast aside. May 8th, the publication, by the Nashville papers, of the secret proceedings of the Legislature then in session, announced to the people that their liberties were gone, and that, thenceforward, they were under the iron despotism of the Confederate "authorities." The story of this sale of a State is fully told in the documents attesting it.

The Bill of Sale. May 7th, Governor Harris sent to the Legislature the following communication and document:

"EXECUTIVE DEPARTMENT,  
NASHVILLE, May 7th, 1861. }

"Gentlemen of the Senate and House of Representatives:

"By virtue of the authority of your joint resolution, adopted on the 1st day of May inst., I appointed Gustavus A. Henry, of the county of Montgomery, Archibald O. W. Totten, of the county of Madison, and Washington Barrow, of the county of Davidson, Commissioners, on the part of Tennessee, to enter into a Military League with the authorities of the Confederate States, and with the authorities of such

other slaveholding States as may wish to enter into it; The Bill of Sale. having in view the protection and defense of the entire South against the war that is now being carried on against it."

"The said Commissioners met Hon. Henry W. Hilliard, the accredited representative of the Confederate States, at Nashville on this day, and have agreed upon and executed a Military League between the State of Tennessee and the Confederate States of America, subject, however, to the ratification of the two Governments, one of the duplicate originals of which I herewith transmit for your ratification or rejection. For many cogent and obvious reasons, unnecessary to be rehearsed to you, I respectfully recommend the ratification of this League at the earliest practicable moment.

"Very respectfully, ISHAM G. HARRIS."

#### "CONVENTION BETWEEN THE STATE OF TENNESSEE AND THE CONFEDERATE STATES OF AMERICA.

"The State of Tennessee, looking to a speedy admission into the Confederacy established by the Confederate States of America, in accordance with the Constitution for the Provisional Government of said States, enters into the following temporary convention, agreement and military league with the Confederate States, for the purpose of meeting pressing exigencies affecting the common rights, interests and safety of said States and said Confederacy.

"*First.* Until the said State shall become a member of said Confederacy, according to the Constitutions of both powers, the whole military force and military operations, offensive and defensive, of said State, in the impending conflict with the United States, shall be under the chief control and direction of the President of the Confederate States upon the same basis, principles and footing as if said State were now and during the interval, a member of said Confederacy. Said forces, together with that of the Confederate States, to be employed for the common defense.

"*Second.* The State of Tennessee will, upon becoming a member of said Confederacy, under the



permanent Constitution of said Confederate States, if the same shall occur, turn over to said Confederate States, all the public property, naval stores and munitions of war, of which she may then be in possession, acquired from the United States, on the same terms, and in the same manner, as the other States of said Confederacy have done in like cases.

"*Third.* Whatever expenditures of money, if any, the said State of Tennessee shall make before she becomes a member of said Confederacy, shall be met and provided for by the Confederate States.

"This Convention entered into and agreed on, in the city of Nashville, Tennessee, on the seventh day of May, A. D. 1861, by Henry W. Hilliard, the duly authorized Commissioner to act in the matter for the Confederate States, and Gustavus A. Henry, Archibald W. O. Totten and Washington Barrow, Commissioners duly authorized to act in like manner for the State of Tennessee. The whole subject to the approval and ratification of the proper authorities of both Governments, respectively.

"In testimony whereof, the parties aforesaid have herewith set their hands and seals, the day and year aforesaid, in duplicate originals.

"HENRY W. HILLIARD, [Seal.]

"Commissioner for the Confederate States of America.

"GUSTAVUS A. HENRY, [Seal.]

"A. O. W. TOTTON, [Seal.]

"WASHINGTON BARROW, [Seal.]

"Commissioners on the part of Tennessee."

This "league" was put upon its adoption immediately. The Senate ratified it by a vote of fourteen to six. The House by a vote of forty-two to fifteen—eighteen members not voting or absent. The ratification read: "That said league be in all respects ratified and confirmed, and the said General Assembly hereby pledges the faith and honor of the State of Tennessee to the faithful observance of the terms and conditions of said league."

The Ordinance of  
Secession.

An act had, *the day previously*, been adopted, ordering an election to be

held June 8th at which the following "Declaration of Independence" (Ordinance of Secession) should be voted upon:

"We, the people of the State of Tennessee, waiving our expression of opinion as to the abstract doctrine of secession, but asserting the right as a free and independent people to alter, reform or abolish our form of Government in such manner as we think proper, do ordain and declare that all the laws and ordinances by which the State of Tennessee became a member of the Federal Union of the United

States of America, are hereby abrogated and annulled, and that all obligations on our part

The Ordinance of  
Secession.

be withdrawn therefrom; and we do hereby resume all the rights, functions and powers which by any of said laws and ordinances were conveyed to the Government of the United States, and absolve ourselves from all the obligations, restraints and duties incurred thereto; and do hereby henceforth become a free, sovereign and independent State.

"*Second.* We furthermore declare and ordain that Art. 10, Sections 1 and 2 of the Constitution of the State of Tennessee, which requires members of the General Assembly, and all officers, civil and military, to take an oath to support the Constitution of the United States, be and the same are hereby abrogated and annulled; and all parts of the Constitution of the State of Tennessee, making citizenship of the United States a qualification for office, and recognizing the Constitution of the United States as the supreme law of this State, are in like manner abrogated and annulled.

"*Third.* We furthermore ordain and declare, that all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed in pursuance thereof, or under any laws of this State and not incompatible with this ordinance, shall remain in force and have the same effect as if this ordinance had not been passed."

Upon this the people were to ballot "Separation," "No separation."

At the same date (May 6th) the Legislature passed an act adopting the Constitution of the Confederate States. Upon this act the people were to vote (at the election ordered June 8th) "Representation," "No representation."

The "Declaration" was passed in the Senate by a vote of twenty to four. In the House by forty-six to twenty-one.

Thus was consummated the transfer of that State, with its tremendous Union majority, to the control and keeping of the conspirators; and thenceforward the Unionists were to suffer persecutions which forever will darken the page of Tennessee's history and cast a shadow upon the civilization of the nineteenth century.\*

\* Those curious to read the story of suffering in Tennessee are referred to Parson Brownlow's book. There is enough of horror compressed in the ten months' experiences of that man, to convince the most incredulous that the spirit of secession was the spirit of Evil.



Arkansas Secedes.  
The Ordinance.

Arkansas, like Tennessee, hastened to recant her late conservative action (see page 31). The call of Mr. Lincoln for troops was succeeded by a rapid regathering of the State Convention. Without much delay the Ordinance of Secession was passed by a vote of sixty-nine to one, viz.

*"An Ordinance to Dissolve the Union now existing between the State of Arkansas and the other States united with her under the compact entitled 'The Constitution of the United States of America.'"*

"Whereas, in addition to the well-founded causes of complaint set forth by this Convention in resolutions adopted on the eleventh March, A. D. 1861, against the sectional party now in power at Washington City, headed by Abraham Lincoln, he has, in the face of resolutions passed by this Convention, pledging the State of Arkansas to resist to the last extremity any attempt on the part of such power to coerce any State that seceded from the old Union, proclaimed to the world that war should be waged against such States, until they should be compelled to submit to their rule, and large forces to accomplish this have by this same power been called out, and are now being marshaled to carry out this inhuman design, and longer to submit to such rule or remain in the old Union of the United States would be disgraceful and ruinous to the State of Arkansas:

"Therefore, we, the people of the State of Arkansas, in Convention assembled, do hereby declare and ordain, and it is hereby declared and ordained, that the 'ordinance and acceptance of compact,' passed and approved by the General Assembly of the State of Arkansas on the eighteenth day of October, A. D. 1836, whereby it was, by said General Assembly, ordained that, by virtue of the authority vested in said General Assembly by the provisions of the Ordinance adopted by the Convention of delegates assembled at Little Rock, for the purpose of forming a Constitution and system of government for said State, the propositions set forth in 'an act supplementary to an act entitled an act for the admission of the State of Arkansas into the Union, and to provide for the due execution of the laws of the United States within the same, and for other purposes, were freely accepted, ratified and irrevocably confirmed articles of compact and union between the State of Arkansas and the United States,' and all other laws, and every other law and ordinance, whereby the State of Arkansas became a member of the Federal Union, be, and the same are hereby in all respects and for every purpose herewith consistent, repealed, abrogated and fully set aside; and the union now subsisting between the State of Arkansas and the other States

under the name of the United States of America, is hereby forever dissolved.

"And we do further hereby declare and ordain, that the State of Arkansas hereby resumes to herself all rights and powers heretofore delegated to the Government of the United States of America—that her citizens are absolved from all allegiance to said Government of the United States, and that she is in full possession and exercise of all the rights and sovereignty which appertain to a free and independent State.

"We do further ordain and declare, that all rights acquired and vested under the Constitution of the United States of America, or of any act or acts of Congress, or treaty, or under any law of this State, and not incompatible with this ordinance, shall remain in full force and effect, and in no wise altered or impaired, and have the same effect as if this ordinance had not been passed.

[Here follow the names of the delegates.]

"Adopted and passed in open Convention on the sixth day of May, A. D. 1861.

"Attest, ELIAS C. BOUDINOT,

"Secretary of the Arkansas State Convention."

The injustice and absurdity of the "State Rights" doctrine is forcibly illustrated in this act of Arkansas, as it also was in the acts of Texas, Florida and Louisiana. (See pages 206-299, &c., Vol. I.) Arkansas was purchased of France by our General Government, to secure the possession and uninterrupted navigation of the Mississippi river and its affluents. It was, from the date of its first territorial organization up to the year 1861, a source of heavy expense to the General Government. In the item of mails alone, the cost of supporting the postal system in that State, for the fiscal year ending June, 1860, was two hundred and ninety thousand dollars over and above the receipts. The cost of keeping the army on her borders to protect her settlements has reached, it is said, a sum twenty times greater than the sum realized by the sales of her public lands. Thus the State not only owed its soil and its settlement to the General Government, but it owed, also, an enormous debt for the sustenance given by the same benignant power to keep it from want. What a monstrous assumption, therefore, is that which claims the right of a people to dissolve, *at will*, their relations and obligations to the parent Government! By all rights of common law, guaranteeing the

Special Point against  
Secession.



purchaser in his possessions; by the law of equity, securing correlative rights; by the force of special legislation conceding supremacy, and acknowledging obedience, to the Constitution of the United States; by the rights of fraternity and highway obtained by the surrounding States—the principle of secession must be pronounced wanting in law, equity or good faith. The right of revolution to redress wrongs too grievous to bear, may be conceded—the right of peaceful secession, never.

Address of Arkansas  
"Conservatives."

The "conservative" men of the State—those who, in the late Convention, had opposed immediate secession and had procured the submission of the whole matter to a vote of the people, issued a belligerent manifesto or "address," from which we may quote: "The employment by the Federal Government of its military power and material resources, which have been supplied alike by all the States of the Union, to *compel any of them to submit to its jurisdiction*, is utterly opposed to the spirit and theory of our institutions, and in a little while would reduce the States which constitute the weaker section, to the condition of mere appanages or provinces to the dominant and stronger section, to which anarchy itself would be preferable.

"*The South is 'our country'*—and while we are satisfied that, up to the moment when the Government at Washington committed the folly and wickedness of making war upon the Seceded States, the conservative party in Arkansas was largely in the ascendant, we cannot believe that her soil is polluted by a being base and cowardly enough to stop to consider, in casting his lot in the unequal struggle in which she is engaged, whether she is 'right or wrong.'"

That was the proper course for Albert Rust to pursue if he would still be in the van. He took his seat in the Confederate Congress May 17th, as one of the five delegates from the "new sister." The act of admission to the Confederacy was passed on that date.

Before adjournment, the Convention passed, as other States had done before it, various acts looking to the "punishment" of the Free States for their sins of omission and

commission. Among others was this ordinance, which we place on record as one of those landmarks of Southern feeling and course of procedure. It may suggest to future lawgivers what course is best likely to avail with those who are base enough to make bed-fellows with treason :

Act of Confiscation  
and Repudiation.

*"An Ordinance in regard to Foreign Indebtedness in the State of Arkansas, and with regard to other objects :*

"SECTION 1. *Be it ordained* by the people of Arkansas, in Convention assembled, that all the debts of whatever kind due or to become due hereafter, whether the same be evidenced by record, bond, note, bill of exchange, or by other proof; and whether such indebtedness is dischargeable or to become dischargeable by money, property, or other choses in action, where the duty of payment is due or is to become due upon resident citizens of the State of Arkansas, and is due or is to become due to a resident or citizen of the State of Maine, the State of Rhode Island, the State of Massachusetts, the State of Vermont, the State of New Hampshire, the State of Connecticut, the State of New York, the State of New Jersey, the State of Pennsylvania, the State of Ohio, the State of Indiana, the State of Illinois, the State of Michigan, the State of Iowa, the State of Wisconsin, the State of Minnesota, the State of California, the State of Oregon, or the State of Kansas, or to a resident or citizen of the Territory of Utah, Washington, Dacotah, Nevada, or Colorado, be and the same is hereby distrained and appropriated to and for the use and benefit of the State of Arkansas, and payments thereof are hereafter to be made to the State of Arkansas, in such manner as shall be provided by ordinance of this Convention, or by enactment of the Legislature of the State, and all other payments are hereby prohibited, and declared null and void, and the party making the same shall be responsible to the State for the full value of such payment of money, or of delivery of property or chose in action.

"SEC. 2. *Be it further ordained*, That all money, property and choses in action that are now in possession, or that may hereafter come to the possession of any attorney, marshal, sheriff or agent, or other person in this State, for the use or benefit of any citizen or resident in any of the aforesaid States and Territories, be and the same is hereby distrained and appropriated to and for the use and benefit of the State of Arkansas, and that all payments or delivery thereof, otherwise than such as may be hereafter provided by ordinance of the Arkansas State Convention, or enactment of the Legislature, shall be null and void, and the party making such payment, or delivering such property or chose in



action, contrary to the true intent thereof, shall be liable to the full value thereof.

"SEC. 3. *Be it further ordained*, That all land or real estate of whatever kind, the title or ownership whereof is in a citizen or citizens, resident or residents of any of the aforesaid States or Territories, be forfeited and revert to the State of Arkansas for the use and benefit of said State, and that the title to such lands shall be disposed of as the Convention or Legislature may hereafter direct.

"SEC. 4. *Be it further ordained*, That all sales of property under legal process for collection of such debts as are described in the first section of this ordinance, the use and benefit whereof is going to citizens or residents of any of the States or Territories aforementioned, be and the same is hereby prohibited, until otherwise ordered by the Convention or enactment of the Legislature."

Acts of Seizure and  
Violence.

Prior to the act of secession the patriots, eager to serve "the cause," hastened to appropriate Government property, moneys, &c., &c. The United States arsenal at Napoleon was seized April 23d. It contained about twelve thousand Springfield muskets, and stores and munitions designed for the "upper country." Fort Smith was seized April 24th, by a large body of Arkansas cut-throats,\* headed by Solon Borland. The fort was a very valuable property, having long been an Indian agency and point of deposit for arms, munitions, goods, &c., destined for the "upper country." May 4th, two days *before* the Ordinance of Secession was promulgated, the following characteristic order was issued:

"HEAD-QUARTERS THIRD BRIGADE, FIRST DIVISION, }  
FORT SMITH, May 4th, 1861. }

"1. The authority of the United States has ceased upon this frontier.

\*We use this somewhat vulgar term, here and elsewhere, as particularly applicable to that class of persons which the Southern States of America only knew — those who generally carried a huge bowie-knife on their person—to whom tobacco and whisky were leading necessities—who lived by boating, gambling, horse-swapping, negro-hunting, &c., &c. This class up to 1861, was large — especially in Texas, Arkansas, Mississippi and Missouri, and became one of the earliest sources for filling the ranks of the Confederate army. No country in the civilized world could produce a more hardy, desperate and ignorant set of men. Up to the breaking out of hostilities they were both feared and hated by the better portion of the Southern people.

"2. All persons claiming to interpose in public in the name and by the authority of the United States on this frontier, will be arrested and placed in the guard-house for examination.

"3. Captain Perkins will take possession of the records and other property of the United States Court at Van Buren, Arkansas, and place the key in custody of the Circuit Court Clerk of Crawford county, Arkansas.

"4. Stationery, and twenty minutes time, will be allowed the attaches of said Court, should they desire, to write their resignations.

"5. All persons in possession of public property, taken without proper authority, are required to report the same immediately to the Assistant Adjutant-General at head-quarters of this command, and all arms or other property belonging to the United States, will be seized. By order of

"General N. B. BURROW, Commanding.

"W. F. RECTOR, Assistant Adjutant-General."

Various other steps were taken to exterminate every vestige of United States authority. Scenes of violence followed which, when the facts are brought to light, will show that, in real malignity, Arkansas, as a State, was second to none other in the Confederacy—not excepting Texas. Like Texas she seemed vicious in proportion to her indebtedness to the Union. If any question this, let them converse with an Arkansas Secessionist, and they will perceive what degree of malice the men of that State harbored toward the loyal sentiment of the country.

North Carolina though still in the Union was, also, in the Southern Confederacy at the date of Mr. Lincoln's first Proclamation. The answer of Governor Ellis, and the immediate steps he took to place the State in an attitude of defense, demonstrated that the Union and conservative sentiment, strong up to that moment, was dashed to the earth. As in Tennessee, Virginia and Arkansas, the spirit of disunion and war flamed up so suddenly and irresistibly as to bear all before it. The defeat, at the election held in January, of the "Conventionists," had not, as already stated, prevented the gathering, at Raleigh of a Convention immediately after the vote was announced—so treacherous and bent upon revolution was the Secessionists. This revolutionary, and really illegal, body assumed the form and functions of other "Conventions," though it failed to legislate the State out of

North Carolina's  
Course.



the Union. Mr. Clingman, late of the United States Senate—where he had, against the sentiments of his constituents, consorted with the enemies of the Government—represented the General Assembly of the State to the Montgomery Congress. May 14th he introduced to that body the following :

*“ Resolution, authorizing the Governor to use all the powers of the State, civil and military, consistent with the Constitution, to protect the persons and property of our citizens, and to maintain and defend the honor of North Carolina.*

Clingman again.

*“ Whereas, The Constitution of the United States has been entirely subverted, and its Government has been converted into a military despotism by the usurpations of the Administration of Abraham Lincoln; and whereas, the said Abraham Lincoln has promulgated a proclamation declaring the ports of North Carolina in a state of blockade, and directing our ships engaged in lawful commerce to be seized; and whereas, such measures are, by the laws of civilized nations, only to be resorted to against a foreign State, and one against which war has been declared; and whereas, North Carolina has no alternative consistent with her safety and honor, but to accept the position thus assigned to her, as being that of an independent and foreign State :*

*“ Therefore, be it resolved, That the Governor is hereby authorized to use all the powers of the State, civil and military, consistent with the Constitution, to protect the persons and property of our citizens, and to maintain and defend the honor of North Carolina.*

*“ A true copy from the Minutes of the House of Commons of North Carolina.*

“ EDWARD CANTWELL, C. H. C.”

All of which was entered on the journals. As the Ordinance of Secession was not passed until May 20th, this action of the Confederate Congress to “authorize” the Governor of the State to use all the powers of the State, would seem strange were its entire proceedings not characterized by the same extraordinary assumptions of power and authority.

These resolves embodied the substance of resolutions adopted by the Legislature a few days prior to the date above named. They read :

*“ Whereas, By an unwarranted and unprecedented usurpation of power by the Administration at Washington City, the Government of the United States of America has been subverted; and whereas,*

the honor, dignity and welfare of the people of North Carolina imperatively demand that they should resist, at all hazards, such usurpation; and *whereas, there is an actual state of revolution existing in North Carolina, and our sister State of Virginia, making common cause with us, is threatened with invasion by the said Administration; now, therefore,*

*“ Resolved, That his Excellency, the Governor, be authorized to tender to Virginia, or to the Government of the Confederate States, such portion of our volunteer forces now, or that may hereafter be, under his command, and that may not be necessary for the immediate defense of North Carolina.”*

The Legislature adopted an act calling a State Convention, empowering it with almost absolute powers. The election was ordered for May 13th—the Convention to assemble May 20th. On the very first day of the Convention the Ordinance of Secession was passed. It read as follows :

“ We, the people of the State of North Carolina, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, that the Ordinance adopted by the State of North Carolina, in the Convention of 1789, whereby the Constitution of the United States was ratified and adopted, and also all acts and parts of acts of the General Assembly ratifying and adopting amendments to the said Constitution, are hereby repealed, rescinded and abrogated.

Ordinance of Secession.

“ We do further declare and ordain, that the Union now existing between the State of North Carolina and the other States, under the title of the United States of America, is hereby dissolved, and that the State of North Carolina is in the full possession and exercise of all her rights of sovereignty which belong and appertain to a free and independent State.

“ Done at Raleigh, 20th day of May, in the year of our Lord 1861.”

At the same time an ordinance was passed ratifying the Constitution of the Confederate States. This formality sealed the fortunes of the State by linking them to the “dynasty of Davis”—as it has now come to be called. Thenceforward North Carolina was to live in a travail that brought forth a monster, of which the wretched mother was only relieved when returning reason restored her to her old allegiance. For many a season will she wear the wounds of that horrible birth.



## CHAPTER XII.

### THE CRISIS IN MISSOURI. HER ACTION AND POSITION TOWARD THE FEDERAL GOVERNMENT UP TO THE FINAL DEFECTION OF GOVERNOR JACKSON, JUNE THIRTEENTH.

Incipient arrangements for "Precipitation." GOVERNOR Jackson's answer to the requisition for troops: "The requisition is illegal, unconstitutional, revolutionary, inhuman, diabolical, and cannot be complied with," was not unexpected by those who were familiar with that person's secessionist proclivities. His pressure on the Legislature (then adjourned) had resulted in placing means at his disposal for confronting the Union sentiment of St. Louis and Northern Missouri with force. A Metropolitan Police Act was passed, placing St. Louis under the control of Police Commissioners to be appointed by the Governor. Three of those named were leaders of "Minute Men," organized bodies of Secessionists, who, armed and drilled, were ready for any revolutionary service. A fourth Commissioner was also a Secessionist. The fifth was the Mayor, a "conditional Union" man. This placed the metropolis of the West at the mercy of the revolutionists—a fact which it is well to bear in mind in order properly to appreciate the services performed by the Unionists.

Anticipating trouble, regular troops had been centralized at that point to the number of one thousand—three hundred occupying the arsenal and seven hundred at Jefferson barracks. Captain Nathaniel Lyon was in command at the arsenal—a brave and accomplished officer, in whom the Unionists trusted implicitly. At the arsenal were nearly thirty thousand muskets and rifles, with large quantities of side arms, ammunition, accoutrements, &c. In the city, Union organizations were rapidly formed to meet the impending crisis. But a few days after Mr. Lincoln's call, two thousand men were ready for arms and equipments. It was confidently stated that, in

event of the uprising of the "Minute Men," ten thousand Union volunteers would quickly respond to the call to arms.\*

A dispatch from St. Louis, April 22d, said: "Quite a number of editorials from prominent papers in the interior of the State express much indignation at the action of the Federal Government in calling so large a military force into the field, and especially for calling for volunteers from the Border Slave States; but, not much ill temper is manifested, and there is less disposition to run the State into rash, indefensible measures than in some other States. There is a good deal of secession feeling in some sections, but the prevailing sentiment is unanimous for peace and conciliation." This stated the surface view of matters. Beneath all that apparent desire for peace and conciliation was the revolutionary element which only needed to be subtly controlled by the Governor and his co-conspirators, to become at once inimical

Feeling in the Interior.

\* In a communication to an Eastern journal, May 2d, Mr. Blair stated: "No State in the Union has responded more promptly to the call of the Administration, for her quota of volunteers, than Missouri; and this, too, at a time when the State Government and the Government of the city of St. Louis are both in the hands of the enemy, and every difficulty thrown in the way of our patriotic citizens. Notwithstanding their embarrassments, in one week the four regiments called for from Missouri were mustered into service, armed and equipped, and are now on duty at the arsenal and Jefferson barracks and ready to do duty whenever they may be wanted."

"Another regiment and three battalions have since been forwarded, and St. Louis alone will, in two weeks, furnish from 8,000 to 10,000 men for the maintenance of the Union and the suppression of this infamous rebellion."



to peace, formidable in power,\* and implacable in its hostility to the Union.

Convention of the  
Legislature.

Governor Jackson (April 22d) called an extra session of the Legislature to convene Thursday, May 2d, "for the purpose of enacting such laws and adopting such measures as may be necessary for the more perfect organization and equipment of the militia of this State, and raise money and such other means as may be required to place the State in a proper attitude of defense." The Adjutant-General, Hough, issued orders to the commanding officers to assemble their respective commands on the 3d of May, to go to encampment for six days, *as provided by law*. The strength, organization and equipments of the several commands were to be reported at once to head-quarters, and the Division Inspectors were required to give all information respecting the condition of the State forces. This, in view of the refusal of the Governor to respond to the President's call, foreshadowed the treasonable designs of those in authority. These various designs were, however, quite counterbalanced by the rapid action of the Unionists, who, *without* the Governor's consent, responded to the President's requisition, as stated in the footnote on the previous page. Colonel Frank P. Blair assumed command of the First Missouri Volunteer regiment, April 24th. Four other regiments, at that date, were in process of formation in St. Louis.

\* How powerful the secession feeling was in South-eastern Missouri will be inferred by the forced suspension of Judge Jackson's Circuit Court session. The Judge, in view of the treason bubbling up all around him, caused an order to issue, requiring all attorneys practicing before his Court to renew the oath of allegiance to the Constitution of the United States, on pain of being prohibited to appear as counsel in civil or criminal suits. At Greenville, Wayne county, the attorneys took the oath, though with much reluctance; but at Doniphan, in Ripley county, on the 22d of April, the lawyers refused the oath; the citizens took possession of the offices of the Sheriff and Clerk, and refused to allow the Court to sit. A meeting was held denouncing the order of the Judge, and asking him to revoke it. The St. Louis *Democrat* pointedly observed: "Judge Albert Jackson never revokes. He plays as clean and close a hand as ever won in the world."

A large and enthusiastic  
"Union Peace Meeting"

Union Strength.

was held at Jefferson City, the State Capital, on the evening of April 24th—on which occasion the speakers assumed strong grounds against the designs of the Secessionists of the State. Similar meetings were arranged for at Lexington, St. Joseph and other points; but which, in most instances, were broken up by the violence of the Secessionists.

On the night of April 25th, by order from the War Department, the arsenal at

The Arsenal Property  
Secured.

St. Louis was emptied of its valuable contents, which were borne to Alton, Illinois, and thence to Springfield, as a place of safety. This affair was executed with great rapidity and secrecy, by Captain Jas. H. Stokes. Governor Yates having obtained a requisition from the Department for ten thousand muskets then in the St. Louis arsenal, committed to Captain Stokes the task of securing them. As the arsenal, at all times, was surrounded by a secession mob, and a large force of the "State Guard" had been ordered to encamp in the vicinity of the premises with the evident purpose of seizing the property and its surroundings, the removal became a matter of great importance if a collision would be avoided. Communicating with Captain Lyon, arrangements were perfected by which the entire stores of arms, munitions, &c.—being 20,000 muskets, 500 new rifled carbines, 500 revolvers, 110,000 musket cartridges, cannon and miscellaneous accoutrements—were placed on a steamer and run to Alton with all possible expedition. At Alton the alarm fire-bell was rung, which brought all classes of citizens to the levee, when Captain Stokes informed the crowd of the nature of his cargo, asking and obtaining their ready aid to place it on the cars for Springfield. He apprehended pursuit by the revolutionists, who were thus suddenly and unexpectedly deprived of their much-counted upon equipments for active field service. Seven thousand rifles and muskets only were left in the arsenal for the volunteers, and these were soon in their keeping. Thus, as the Illinois men said, "the rebels were cuthred" in a manner which disconcerted them



as greatly as it gratified the friends of the General Government.

The Governor's Message of Treason.

The extra session of the Legislature called by Governor Jackson assembled

May 3d. The Governor's Message was read to both Houses. In the course of the document it was said that the President, "in calling out troops to subdue the Seceded States had threatened civil war," that his act, therefore, "was unconstitutional and illegal, tending towards a consolidated despotism." Though the Governor evidently accepted the right of a State to secede at will, he did not openly urge Missouri into that step. He said: "Our interests and sympathies are identical with those of the Slaveholding States, and necessarily unite our destiny with theirs. The similarity of our social and political institutions, our industrial interests, our sympathies, habits and tastes, our common origin, territorial congruity, all concur in pointing out our duty in regard to the separation now taking place between the States of the old Federal Union."

He added: "Missouri has at this time no war to prosecute. It is not her policy to make an aggression, but in the present state of the country she would be faithless to her honor, recreant to her duty, were she to hesitate a moment in making the most ample preparation for the protection of her people against the aggression of all assailants. I, therefore, recommend an appropriation of a sufficient sum of money to place the State, at the earliest practicable moment, in a complete state of defense."

In concluding he said: "Permit me to appeal to you, and through you, to the whole people of the State, to do nothing imprudently or precipitately. We have a most solemn duty to perform. Let us, then, calmly reason one with another, avoid all passion and tendency to tumult and disorder, obey implicitly the constituted authorities, and endeavor ultimately to unite all our citizens in a cordial co-operation for the preservation of our honor, the security of our property, and the performance of all those high duties imposed upon us by our obligations to our families, our country and our God."

These apparently conciliatory terms were

the subtle music to charm the unwary. In advance a declaration had been given publicly in the St. Louis *Republican*, that the Governor had stated his policy to be one of *peace*—that he had convened the Legislature for the purpose of organizing more perfectly the militia, and putting the State in a proper attitude of defense—that he had told Sterling Price, President of the State Committee, that that body ought not to be called together for the passage of any Secession Ordinance—that he was in favor of retaining the present status of the State, leaving it to circumstances, as they arise, to determine the best course for Missouri to pursue. The steps soon taken by the Legislature to place in the Governor's hands all the *materiel* for revolutionary success, and the military organization quickly resorted to, to overawe and repress the rapidly rising Union sentiment, were palpable evidences of the *drift* of the State toward the Southern Confederacy, where the Governor's and the State Committee's sympathy all lay.

The Governor's Message of Treason.

The formation of the camp on the outskirts of St. Louis, under the orders of Adjutant-General Hough, was regarded as so inimical to the stability of the authority of the General Government, and so dangerous to the peace of St. Louis, that Captain Lyon, at the head of six thousand volunteers, with a battery, on May 10th, surrounded the camp and took the entire brigade prisoners. The letter of Captain Lyon, to General Frost, commanding the Militia camp, explains the condition of affairs at that time. It reads:

Captain Lyon's Capture of Camp Jackson.

"HEAD-QUARTERS U. S. TROOPS, {  
"ST. LOUIS, May 10th, 1861. }

"To General D. M. FROST—*Sir*: Your command is regarded as evidently hostile towards the Government of the United States. It is, for the most part, made up of those Secessionists who have openly avowed their hostility to the General Government, and have been plotting at the seizure of its property, and the overthrow of its authority.

"You are openly in communication with the so-called Southern Confederacy, which is now at war with the United States; and you are receiving at your camp from the said Confederacy, under its flag, large supplies of material of war, most of which is known to be the property of the United States.

"These extraordinary preparations plainly indi-



cate none other than the well-known purpose of the Governor of this State, under whose orders you are acting, and whose purpose, recently communicated to the Legislature, has just been responded to by that body, in the most unparalleled legislation, having in direct view hostilities to the General Government, and co-operation with the enemy.

"In view of these considerations, and your failure to disperse in obedience to the proclamation of the President, and of the eminent necessity of State policy and welfare, and obligations imposed upon me by instructions from Washington, it is my duty to demand, and I hereby do demand of you an immediate surrender of your command with no other conditions than that all persons surrendering under this demand shall be humanely and kindly treated. Believing myself prepared to enforce this demand, one half hour's time before doing so will be allowed for your compliance therewith.

"Signed,

N. LYON,

"Captain Second Infantry, Commanding Troops."

Assault of the Mob.

The delivery of this letter was followed so quickly by the appearance of the Union forces that the State brigade could make no defense. It was disarmed, and taken bodily to the arsenal, together with the armament and entire property of the camp.\*

On the return to the city of the volunteers with their prisoners, a vast mob gathered on the route. Incited to violence by the Secessionists, an attack was made on the troops—*a-la* Baltimore—when the volunteers of Colonel Boernstein's regiment (German) fired, killing twenty-two persons, among whom was one woman. This deplorable disaster awakened intense excitement, but investigation showed that the volunteers forebore their fire

\* Among the articles enumerated as found in the camp were: three 32-pounders, a large quantity of bombs and balls, several pieces of artillery in boxes, twelve hundred rifles of a late model, six brass field-pieces, six brass mortars, (6-inch,) one 10-inch iron mortar, three 6-inch iron cannon, several chests of muskets, five boxes canister shot, ninety-six 10-inch, three hundred 6-inch shells, twenty-five kegs of powder, a large number of musket stocks and barrels, between thirty and forty horses, and a considerable quantity of camp tools. On the steamer *J. C. Swan*, seized by order of Captain Lyon, May 24th, for carrying contraband of war, was found the register, showing that most of these arms and equipments had come up the river from the Baton Rouge arsenal.

until the abuse and violence of the mob became intolerable. The seizure of this professedly State force and its equipments was a heavy blow to the revolutionists. That they designed to fall upon the city and to act as Captain Lyon indicated, was confirmed soon, in a very undoubted manner. A letter found upon the person of one of the prisoners—a Captain of the "Minute Men"—who was advised of the programme, said: "In a short time we shall have enough to bring the Union men or Black Republicans into our terms, or force them to leave the State. We have a Governor who is true blue. He is trying to get a bill through the Legislature that will bring them to terms. When we get, say from 4000 to 5000 Minute Men well armed, we shall be all ready for them. We pulled the wool over their eyes by making them think we only intended to stay in the camp six days. We intend to stay here till the Governor gets all things right at Jefferson City. By that time we shall have all the men we want. We shall force them into measures to suit us or leave the State. We are for the South."

The "unparalleled legislation" referred to by Captain Lyon consisted in acts appropriating over three millions of dollars to military uses, diverting for this purpose the entire Common School Fund for 1861, the moneys set apart to pay the July interest on the State debt, &c., &c. Also in a military act, which placed dangerous and despotic power in the Governor's hands, making it treason to speak against his authority, compelling every person to report for military duty who was liable by law, requiring the oath of allegiance to the *State*, &c., &c.

General Harney arrived in St. Louis May 12th. He immediately issued a pro-

General Harney's  
Doings.

clamation notifying the people and authorities of his presence and military power, calling upon all persons to preserve the peace and obey the laws. May 14th he published an address relating particularly to his purposes in view of the hostile legislation, above referred to. He directed public attention to the military bill, which he pronounced to be an Ordinance of Secession without even the forms of procedure resorted to by other States,



General Harney's  
Doings.

manifestly unconstitutional, in conflict with the Constitution of the United

States and its laws, and therefore could *not* be sustained by all good citizens. He said: "Whatever may be the termination of the present condition of things in respect to the Cotton States, Missouri must share the destiny of the Union. All her material interests point to this result, and so important is this regarded to the great interests of the country, that I venture the opinion the whole power of the United States Government, if necessary, will be exerted to keep Missouri in the Union."

The breaking up of Camp Jackson, and the arrest of its occupants, he approved as an act of prudence and defense, since its openly treasonable nature left no doubts of its dangerous character. He said, in conclusion:

"Disclaiming all desire or intention to interfere with the prerogative of the State of Missouri, or with the functions of its Executive, yet I regard it my plain path of duty to express to the people in respectful but decided language, that within the field and scope of my command, the supreme law of the land must and shall be maintained, and no subterfuges whatever, in the form of legislative acts or otherwise, can be permitted to harass or oppress the good, law-abiding people of Missouri. I shall exert my authority to protect their persons and property from violation of every kind, and shall deem it my duty to suppress all unlawful combinations of men, whether formed under a military organization or otherwise."

This did not promise well for secession; and the Governor found his pretty schemes for throwing the State into the revolution thwarted. General (ex-Governor) Sterling Price came to his aid, however; and, resorting to the usual secession policy of duplicity and treachery—qualities whose practice the Secessionists appeared to regard as virtues—obtained from Harney concessions which threatened, for awhile, to place the despotism of Jackson in active operation.

As early as April 25th the reign of terrorism was inaugurated in the central and western portions of the State. Even in the north, near the Iowa line, the following document was served upon well known Union citizens:

"SIR: You are considered hostile to the interests of this community, and you are hereby notified to

leave this State forever, by the 8th day of May, 1861; and every minute you remain thereafter will be at your peril.

The Reign of Violence  
Inaugurated.

"Done in Council of Southern Legion, this 30th day of April, 1861."

A dispatch from St. Aubert, May 15th, read:

"Last evening Dr. A. Y. Leimer of Liberty township, near Osage bridge, was arrested by orders, and sent to camp at Jefferson City, to be tried by martial law, on charge of raising a Union company. The mounted forces are after several others of the same township on the same charge."

It was stated, early in May, that *hundreds* of the better class of residents of Northern and Central Missouri were fleeing into Iowa for protection against the scoundrels—the veritable "border ruffians"—directed to acts of violence by the emissaries of the secession leaders at Jefferson City. St. Louis became thick with these "refugees," whose losses and sufferings form one of the most painful episodes in the history of the rebellion. So brutal and so summary were the proceedings of those "conservators of Southern interests," that Missouri would, unquestionably, have rapidly followed Arkansas in joining the Confederacy, had not the city of St. Louis and its Free State populace (composed largely of Germans) stood like a pillar of fire between the Egyptians of barbarism and the Land of Promise. Frank P. Blair and B. Gratz Brown were the Moses and Aaron of that Deliverance.

It was announced, May 14th, that "the first four regiments of Missouri volunteers, under command of Colonels Blair, Boernstein, Sigel and Schultner, have been formed into a brigade, under the style of the First Brigade of Missouri Volunteers, and Captain Lyon has been elected Brigadier-General Commanding. General Lyon accepted the position, and retains command of these regiments by authority of the President." This promotion of Captain Lyon met the approval of all loyalists. In the discharge of his onerous and responsible duties assigned him as chief officer in command at St. Louis prior to General Harney's arrival, Captain Lyon had comported himself with so much prudence, and had shown such unflinching firmness in repressing disloyal combinations, that the Unionists regarded

The Missouri Brigade.



him as quite necessary to their success. The important and responsible command bestowed upon him was merited.

The Case of Captain  
McDonald.

Among those taken prisoners at Camp Jackson was Captain Emmet McDonald, late of the U. S. Mounted Rifles. Having refused to swear allegiance to the United States or to accept his release on parole, he was confined in close quarters at the arsenal, as a prisoner of war. Learning that an application was to be made for his release on a writ of *habeas corpus*, he was conveyed over the river on the night of May 13th. This averted the test trial of the constitutional rights of the citizen—a test the Secessionists were as anxious to apply as the Secessionists of Baltimore, in the case of Merryman, were anxious that Judge Taney should create a direct issue between the military and civil powers of the Government.

The Harney and Price  
Truce.

The arrangement referred to between Generals Harney and Price was made May 21st, at St. Louis. The "plan" agreed upon was thus announced:

"They mutually declare a common object, that of restoring peace and good order to the people of the State, subordination to the laws of the General and State Governments, and unite in recommending all persons to respect each other's rights throughout the State, and make no attempt to exercise unauthorized powers, as it is the determination of the proper authorities to suppress all unlawful proceedings, which can only disturb the public peace.

"General Price pledged the whole power of the State officers to maintain order among the people of the State, and General Harney declares that this object being assured, he can have no occasion, as he has no wish, to make military movements, which might otherwise create excitement and jealousies which he most earnestly desires to avoid.\* They

\* To do Harney full justice, and state his own interpretation to the agreement, we are called upon to give the "memorandum" remitted by him to Price, before their interview, embodying his views and the only terms of arrangement which he could or would make, viz.:

"MEM. FOR GENERAL PRICE.

"MAY 21st, 1861.

"General Harney is here as a citizen of Missouri, with all his interests at stake in the preservation of the peace of the State.

"He earnestly wishes to do nothing to complicate matters;

therefore enjoin upon the people to attend to their civil business, and expressed the hope that the unjust elements which have threatened so seriously to disturb the public peace may soon subside, and be remembered only to be deplored."

As one of the first fruits of this shrewdly conceived secession ruse to place the

The Harney and Price  
Truce.

control of affairs in the hands of Price and the "Minute Men," on the afternoon of May 22d the Stars and Stripes, elevated before the Post Office in St. Joseph, were torn down, the flag destroyed and the pole thrown into the river. An American flag flying at Turner's Hall, in the same place, was ordered down. The "authorities" resolved in solemn council to allow no American flag to fly in their domain! That city is in the very north-west corner of the State—as far north as the latitude of the capitals of Ohio, Indiana and Illinois. The persecutions of Union men were not stayed in the least, but from all sections

and will do everything in his power, consistently with his instructions, to preserve peace and order.

"He is, however, compelled to recognize the existence of a rebellion in a portion of the United States, and in view of it he stands upon the proclamation of the President, itself based upon the law and the Constitution of the United States.

"The proclamation commands the dispersion of all armed bodies hostile to the supreme law of the land.

"General Harney sees in the Missouri Military bill features which compel him to look upon such armed bodies as may be organized under its provisions, as antagonistic to the United States within the meaning of the proclamation, and calculated to precipitate a conflict between the State and the United States troops.

"He laments this tendency of things, and most cordially and earnestly invites the co-operation of General Price to avert it.

"For this purpose, General Harney respectfully asks General Price to review the features of the bill in the spirit of law, warmed and elevated by that of humanity, and seek to discover some means by which its action may be suspended until some competent tribunal shall decide upon its character.

"The most material features of the bill calculated to bring about a conflict, are, first, the *oath* required to be taken by the militia and State Guards—(an oath of allegiance to the State of Missouri, without recognizing the existence of the Government of the United States;) and secondly, the express requirement, by which troops within the State, not organized under the provisions of the military bill, are to be disarmed by the *State Guards*.

"General Harney cannot be expected to wait a summons to surrender his arms by the State troops.

"From this statement of the case, the true question becomes immediately visible, and cannot be shut out of view.

"General Price is earnestly requested to consider this, and General Harney will be happy to confer with him on the subject whenever it may suit his convenience."



of the State soon the cry went forth for help. Government, evidently, proposed to discard the arrangement entered into. It dispatched a regiment down to Bird's Point, May 29th, to cover the Cairo encampment and to afford the Unionists of that section the protection of the Federal Government.

#### Harney's Recall.

Nor was Harney long left in command. The arrangement with Price was entirely rejected by the authorities at Washington; its acceptance would have conceded the right of State neutrality, and gave the force of a concession to an Executive whose entire course toward the Federal Government had thus far been characterized by treason and defiance. Harney's removal had been determined upon, and ordered, as early as May 16th; but, for some not apparent reason, the notice of suspension was withheld. The reception, at Washington, of the terms of agreement with Price, caused the immediate dispatch of the notice of May 16th. May 31st Harney announced his want of authority in the Department of the West. He was succeeded by General Nathaniel Lyon.

#### Price's Circular.

June 4th, Sterling Price issued a circular directed "to the Brigadier-Generals commanding the several Military Districts in Missouri," in the course of which he thus adverted to *his* views of the agreement with Harney:

"Having taken no steps toward dissolving our connection with the Federal Government, there was no reason whatever of disturbing the peace and tranquillity of Missouri. I have therefore desired, and such I am authorized has been, and still is, the desire of the Chief Executive under whose orders I acted, that the people of Missouri should exercise the right to choose their own position in any contest which might be forced upon them, unaided by any military force whatever. The right to bear arms in defense of themselves and of their State cannot be questioned, secured, as it is, by both the Constitution of the United States and of this State.

"For the purpose, therefore, of securing to the people of Missouri a free exercise of their undoubted rights, and with a view to preserve peace and order throughout the State, an agreement has been entered into between General Harney and myself, which I consider alike honorable to both parties and governments represented."

But the ex-Governor had to confess to a

little disappointment in the suspension, by the Federal Government, of Harney. He added:

#### Price's Circular.

"The Federal Government, however, has thought proper to remove General Harney from the command of the Department of the West; but as the successor of General Harney will certainly consider himself and his Government in honor bound to carry out this agreement in good faith, I feel assured that his removal should give no cause of uneasiness to our citizens for the security of their liberties and property. I intend, on my part, to adhere both to its spirit and letter.

"The rumors in circulation that it is the intention of the officer now in command of this depot to disarm those of our citizens who do not agree in opinion with the Administration at Washington, and put arms in the hands of those who, in some localities of this State, are supposed to sympathize with the views of the Federal Government, are, I trust, unfounded.

"The purpose of such a movement could not be misunderstood, and it would not only be a palpable violation of the agreement referred to, and an equally plain violation of our constitutional rights, but a gross indignity to the citizens of the State, which would be resisted to the last extremity.

"My wish and hope is, that the people of the State of Missouri be permitted in peace and security to decide upon their future course, and so far as my abilities can effect this object, it shall be accomplished.

"The people of Missouri cannot be forced, under the terrors of a military invasion, into a position not of their free choice.

"A million of such people as the citizens of Missouri were never yet subjugated, and if attempted, let no apprehensions be entertained of the result."

The arrogance and openly expressed treason of this document certainly indicated

#### General Lyon's Movements.

to General Lyon that, if he would preserve Missouri, no delay should occur in the occupation of the strong strategic points. He immediately conferred with the War Department by telegraph and special messengers, and arranged to throw regiments forward to Springfield, Kansas City and Jefferson City, strengthening Bird's Point and occupying Rolla.

Obtaining an inkling of the contemplated movements, and to gain time for the furtherance of his schemes, Governor Jackson and Price solicited an interview with General Lyon, to "try to come to an understanding." Lyon cheerfully consented and issued his or-



der for their safe transit to and from St. Louis, viz.:

"HEAD-QUARTERS DEPARTMENT OF THE WEST, {  
ST. LOUIS, MO., June 6, 1861. }

"It having been suggested that Governor Claiborne F. Jackson and ex-Governor Sterling Price are desirous of an interview with General Lyon, commanding this Department, for the purpose of effecting, if possible, a pacific solution of the domestic troubles of Missouri, it is hereby stipulated on the part of Brigadier-General N. Lyon, U. S. A., commanding this military Department, that, should Governor Jackson and ex-Governor Sterling Price, or either of them, at any time prior to, or on the 12th day of June, 1861, visit St. Louis for the purpose of such interview, they and each of them shall be free from molestation or arrest on account of any charge pending against them, or either of them, on the part of the United States, during their journey to St. Louis, their stay at St. Louis, and their return from St. Louis to Jefferson City.

"Given under the hand of the General commanding, the day and year above written.

"N. LYON, Brigadier-General Commanding."

Interview between Jackson, Price and Lyon. The State officials arrived in St. Louis, by special train, June 11th, when the interview took place—General Lyon and Colonel Blair, accompanied by Major Conant, calling at the hotel. The substance of its proceedings may be thus stated: Price, speaking for the Governor, demanded that no armed bodies of United States troops should pass through, or be stationed in, the State—assuming that Governor Jackson would *then* disband his own troops and give protection to all classes of men alike. The ex-Governor denied that he had ever entertained any other idea of State Rights, and asserted that his agreement with Harney was explicit on these points. When asked about the Harney memorandum he denied any knowledge of it. The document itself was produced. It was subscribed:

"N. B. Read to General Price, in the presence of Major Turner, on the evening of May 21st."

The official was disconcerted, but insisted upon his points as the only basis for a peace. Lyon, of course, repudiated the demands as alike preposterous and treasonable. He assumed that, if the Government withdrew its forces entirely, secret and subtle measures would be resorted to to provide arms and effect organizations which, upon any pretext,

could put forth a formidable opposition to the General Government, and even

Interview between Jackson, Price and Lyon.

without arming, combinations would doubtless form in certain localities, to oppress and drive out loyal citizens, to whom the Government was bound to give protection, but which it would be helpless to do, as also to repress such combinations, if its forces could not be sent into the State. A large aggressive force might be formed and advanced from the exterior into the State, to assist in carrying out the secession programme, and the Government could not, under the limitation proposed, take posts on these borders to meet and repel such force. The Government could not shrink from its duties nor abdicate its corresponding rights; and, in addition to the above, it was the duty of its civil officers to execute civil process; and, in case of resistance, to receive the support of military force. The proposition of the Governor would at once overturn the Government privileges and prerogatives which he (General Lyon) had neither the wish nor authority to do. In his opinion, if the Governor and the State authorities would earnestly set about to maintain the peace of the State, and declare their purposes to resist outrages upon loyal citizens of the Government, and repress insurrections against it, and in case of violent combinations needing co-operation of the United States troops, they should call upon or accept such assistance, and in case of threatened invasion, the Government troops took suitable posts to meet it, the purposes of the Government would be subserved, and no infringement of State rights or dignity committed. He would take good care in such faithful co-operation of the State authorities to this end, that no individual should be injured in person or property, and that the utmost delicacy should be observed toward all peaceable persons concerned in these relations.

These were the views of a clear head and a loyal heart; upon them the General might rest his case with any court than one radically disloyal. The two State functionaries wanted to debate the question, but Lyon cut off debate by urging that he could not and would not accept any other view. Price (bent upon obtaining time) asked to open a



Jackson's Final  
Defection.

correspondence—a request General Lyon politely but decidedly declined. The interview ended. The Governors returned by their special train that evening, and before the morning of the 12th, the Gasconade railway bridge was burned, as well as the western span of the bridge over the Osage river. The telegraph wires were cut. The Governor's son acted as director of the destruction. A proclamation was immediately prepared by the Governor, of an openly revolutionary and treasonable character. He denounced the acts of the Federal troops as "a series of unprovoked and unparalleled outrages," and called out fifty thousand of the State militia, "for the purpose of repelling invasion." He gave his own version of his interview with General Lyon, and declared that he "humiliated" himself by promising to maintain a strict neutrality and to refrain from making military preparations, because he was anxious to avert the horrors of civil war; but, that the Federal commander having refused to disarm the Home Guard, and having claimed the right of military occupation, the Governor declared that "all efforts towards conciliation have failed," and proceeded to call out the militia. The proclamation concluded:

"In issuing this proclamation I hold it to be my most solemn duty to remind you that Missouri is still one of the United States; that the Executive Department of the State Government does not arrogate to itself the power to disturb that relation; that power has been wisely vested in the Convention, which will at the proper time express your sovereign will; and that meanwhile it is your duty to obey all con-

stitutional requirements of the Federal Government. But it is equally my duty to advise you that your first allegiance is due to your own State, and that you are under no obligation whatever to obey the unconstitutional edicts of the military despotism which has introduced itself at Washington, nor submit to the infamous and degrading sway of its wicked minions in this State. No brave-hearted Missourian will obey the one or submit to the other. *Rise, then, and drive out ignominiously the invaders* who have dared to desecrate the soil which your labors have made fruitful, and which is consecrated by your homes.

"CLAIBORNE F. JACKSON."

Thus was the mask dropped, and the deluded agent of despotism stood forth in his true character. He fled from Jefferson City with such of the State Guard as were available, taking steamer for Booneville, to which point he directed troops to rally, and whither all obtainable arms, munitions and stores were rapidly borne. Ex-Governor Price dispatched his "Minute Men" to all sections of the State to arouse the people and concentrate forces. The most outrageous falsehoods were disseminated of Federal designs; no means were left unemployed which would "fire" the people, and inspire hate of the General Government. It was the old story over again of baseness and deception towards his own people: they gathered to fight an enemy whom they had been informed and made to believe, were "Dutch hirelings" come for subjugation and spoils.

Thus, the door to peace was closed; and Missouri, through the treason of her Governor, entered upon the untried reality of testing the power of the Central Government.

The Call to Arms.



## CHAPTER XIII

### THE CRISIS IN KENTUCKY UP TO JULY FIRST.

The Governor's  
Proclamation.

GOVERNOR Magoffin of Kentucky, after his unnecessarily offensive reply to the requisition of the Federal Government, hastened to take such steps as must, eventually, place the State in a position of offense and defense. The Legislature was convened, by proclamation on the 18th of April, to meet April 28th. After adverting to the attitude of the Northern States, the proclamation declared: "Whatever else should be done it is, in my judgment, the duty of Kentucky, without delay, to place herself in a complete position for defense. The causes for apprehension are now certainly grave enough to impel every Kentuckian to demand that this be done, and to require of the Legislature of the State such additional action as may be necessary for the general welfare."

Great Union  
Demonstration.

On the evening of the 18th, an immense Union meeting was held in Louisville, at which addresses were delivered by Hon. James Guthrie, Hon. Archie Dixon, Hon. John Young Brown, Judge Nicholas and Judge Bullock—all eminent and influential men, whose speeches, spread on the wings of the omnipotent press, carried strength and hope all over the State, to the "conservative" element. The following important resolves were passed with scarcely a dissenting voice. We give them for their intrinsic interest, and also for the reason that they embody the sentiments of that school of politicians whose "conservatism" led them to withhold an active and open support of the Federal Government in its struggle with treason. If they did not directly sustain the Government, they held secessionism up to abhorrence, and thus paved the way for the permanent develop-

ment and ascendancy of the true Union sentiment:

Kentucky  
Resolutions.

"Events of commanding importance to the future safety and honor of Kentucky have occurred which call for action on the part of her citizens; and every consideration of self-interest, and every dictate of wisdom and patriotism must prompt our State to maintain most resolutely her position of loyalty. Situated on the border of the Slave States, with seven hundred miles of territory exposed to hostile attack, should the Union be divided into two separate sovereignties, and with but one million of population to oppose the four or five millions of the States contiguous to her, which might become unfriendly, Kentucky owes it to herself to exercise a wise precaution before she precipitates any course of action which may involve her in an internecine war. She has no reason to distrust the present kindly feelings of the people who reside on the north bank of the Ohio river, long her friendly neighbors, and connected by a thousand ties of consanguinity, but she must realize the fact that if Kentucky separates from the Federal Union, and assumes her sovereign powers as an independent State, that Ohio, Indiana and Illinois, remaining loyal to the Federal Union, must become her political antagonists. If Kentucky deserts the Stars and Stripes, and those States adhere to the flag of the Union, it seems impossible to imagine a continuance of our old friendly relations when constantly recurring causes of irritation could not be avoided. It is from no fear that Kentucky would not always prove herself equal to the exigencies of any new position she might see proper to assume, and from no distrust of the bravery of her sons, that these suggestions are made; but as 'when in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation,' so an equal necessity exists that we should not dissolve those bands with our friends and neighbors without calling to our aid every suggestion of



Kentucky Resolutions. prudence, and exhausting every effort to reconcile difficulties before taking steps which cannot be retraced, and may lead to exasperation, collisions and eventual war; therefore, be it

"*Resolved—First.* That as the Confederate States have, by overt acts, commenced war against the United States, without consultation with Kentucky and their sister Southern States, Kentucky reserves to herself the right to choose her own position, and that while her natural sympathies are with those who have a common interest in the protection of Slavery, she still acknowledges her loyalty and fealty to the Government of the United States, which she will cheerfully render until that Government becomes aggressive, tyrannical and regardless of our rights in slave property.

"*Second.* That the National Government should be tried by its acts, and that the several States, as its peers in their appropriate spheres, will hold it to a rigid accountability, and require that its acts should be fraternal in their efforts to bring back the seceding States, and not sanguinary or coercive.

"*Third.* That, as we oppose the call of the President for volunteers for the purpose of coercing the seceding States, so we oppose the raising of troops in this State to co-operate with the Southern Confederacy, when the acknowledged intention of the latter is to march upon the City of Washington and capture the Capital, and when, in its march thither, it must pass through States which have not yet renounced their allegiance to the Union.

"*Fourth.* That Secession is a remedy for no evils, real or imaginary, but an aggravation and complication of existing difficulties.

"*Fifth.* That the memories of the past, the interests of the present, and the solemn convictions of future duty, and usefulness in the hope of mediation, prevent Kentucky from taking part with the seceding States against the General Government.

"*Sixth.* That 'the present duty of Kentucky is to maintain her present independent position, taking sides not with the Administration, nor with the seceding States, but with the Union against them both, declaring her soil to be sacred from the hostile tread of either, and, if necessary, to make the declaration good with her strong right arm.'

"*Seventh.* That, to the end Kentucky may be prepared for any contingency, 'we would have her arm herself thoroughly at the earliest practicable moment,' by regular legal action.

"*Eighth.* That we look to the young men of the Kentucky State Guard as the bulwarks of the safety of our Commonwealth, and that we conjure them to remember that they are pledged equally to fidelity to the United States and Kentucky.

"*Ninth.* That the Union and the Constitution, being mainly the work of Southern soldiers and statesmen, in our opinion, furnishes a surer guaranty for 'Southern Rights' than can be found under any other system of Government yet devised by man."

The speeches made upon the occasion were more patriotic than the resolutions.

Great Union  
Demonstration.

While they urged the "neutrality" of Kentucky they were unsparing in their denunciations of the enemies of the General Government. It was not difficult to see that, when the best interests of the State demanded, Kentucky would be ready to battle as nobly for the Union as Henry Clay would have her do were he still living.

The municipal authorities of Louisville visited—April 24th–25th—the cities of Cincinnati, Madison, &c., to reassure the people of those cities of the amicable disposition of Kentucky, and to obtain from the municipal authorities and citizens pledges of their co-operation to keep up amicable and commercial relations. They returned, April 26th, to report the most hearty assurances of kind feeling "over the border."

The formation of the camp at Cairo was a source of annoyance to the revolutionists. Paducah and Columbus, in Western Kentucky, had, by May 1st, become strongly infested with Secessionists; and it was not long before Kentucky became aware that portions of her soil really were in possession of emissaries of the Confederacy. Colonel Prentiss, in command of the Federal forces at Cairo, had what was considered reliable information of the landing at Columbus, Kentucky—only twenty miles below Cairo—of seventeen thousand stand of arms, and of seven pieces of artillery at Paducah, on the 30th of April. Major-General Buckner of the Kentucky State Militia, in company with State Senator Johnson, had an interview with Colonel Prentiss, April 29th, to give the Federal commander assurances of Kentucky's strict neutrality, and to guarantee that no Confederate troops should cross her soil to invade the North; nor would the Kentucky authorities countenance any organizations in the State inimical to the Federal Government. In return, General Buckner

Interviews with  
Colonel Prentiss.



Interview with  
Colonel Prentiss.

inquired if any orders had been given under which Illinois troops might "invade" Kentucky soil. He also qualifiedly protested against the blockade of the Mississippi and Ohio rivers, which Colonel Prentiss had instituted. The Federal commander reciprocated the kind feelings expressed by the Kentuckian, and gave such assurances as served to allay all fears of any "encroachments" on Kentucky soil. The information obtained, a few hours after this interview, of the landing of arms at the points named, and the reported gathering there of bodies of Secessionists, inspired the Colonel with very little confidence in Buckner's power, even if the willingness existed, to prevent the occupation of Kentucky soil by secession emissaries. Nor did a further interview (May 6th) with Colonel Tilghman, in command of the Western Military Division of Kentucky—who re-assured Colonel P. that no offensive demonstrations should be made upon Cairo from his department—prevent the vigilant and intelligent Federal officer from keeping his troops in the highest state of efficiency to repel the threatened, and apparently near at hand, attempt to break up the camp at Cairo and raise the blockade of the river.

May 3d, Governor Magoffin ordered an election for members of Congress, to be held July 1st. May 4th, the election of delegates to the proposed Border State Convention\* was held. The result was an overwhelming triumph of the Unionists—54,760 majority—the secession vote being very meagre; so much so as to astonish the loyalists. The Secessionists went through the farce of "withdrawing their ticket," a few days prior to the

election, in hopes of disparaging the returns; but, the fact that larger votes were polled for the Union candidates than were given for the combined Presidential candidates, proved that the people were, as four to six, true in their fealty to the Union.

The Kentucky Legislature assembled in extra session as called, April 28th. The

The Legislature's  
Extra Session.

Governor's Message indicated anything but loyalty to the General Government. The following abstract gives its salient features:

He said; The semi-official announcement of a pacific policy on the part of the Federal Government had been broken, and has involved the country in civil war, and if not successfully resisted, will prove fatal to the liberties of the people. He charges the President with usurpation of power in creating a standing army, mad with sectional hate, to subjugate or exterminate ten or more States. He says that seven States have established a Confederacy, which seems to receive the cordial and undivided allegiance of their entire population, and thinks that North Carolina, Tennessee and Arkansas will soon join it, while Missouri, Maryland and Delaware, where public sentiment favors a like step, are considering the propriety of joining the Confederacy. He declares the American Union dissolved, and war exists. He asks whether Kentucky shall continue with and assume her portion of the enormous war debt being incurred by the Federal Government—whether Kentucky shall declare her own independence, and, single-handed, prepare to maintain it, or make common cause with Slaveholding States. He does not propose to discuss the subject, but refers it to the people. As the Legislature was elected two years ago, he thinks they had better pass a law calling a Convention, and the election of delegates. He regrets that his proposition to arm the State was not carried out by the last Legislature. He compliments the Commercial, Louisville and Southern Banks for tendering money to procure arms, but says he fears that from the refusal of other Banks, the opportunities of obtaining large supplies, effective guns and munitions of war, have been lost. He recommends the issue of \$1,000 bonds to secure funds for obtaining arms. The Governor compliments the militia for their accomplishment of a State Guard, and speaks of the co-operation of the Executives of Ohio and Indiana for the preservation of amicable relations and trade, but says they cannot control their lawless citizens, and thinks that an armed collision will prevail along the whole border unless effectual measures are taken to prevent it. He says his proposition to the General Government

\* This election was held in response to an invitation extended by the Virginia Legislature, in March, for a Border State Convention to assemble at Frankfort, Kentucky, May 20th. Only four States responded and appointed delegates, viz.: Arkansas, Missouri, Virginia and Delaware. Kentucky elected her delegates as above stated. It was evident, however, that the Convention would accomplish nothing, as no delegates would be present from Virginia, Arkansas, &c. The vote in Kentucky was held, however, as much to test the strength of the Union sentiment as to comply with the forms of the act providing for the vote.



to suspend hostilities till the meeting of Congress, met with no success, and asks that all party feeling be extinguished, and that Kentucky maintain the peace, honor and safety of her citizens.

Governor Magoffin.

This fell upon a Legislature neither disloyal nor weak. The State was soon legislated into an "armed neutrality," as at first advised by Messrs. Crittenden, Guthrie, and others of the "Old Court" party leaders—those men who, in the terrible State convulsions of 1821–25, sustained the regularly constituted and legitimate Courts against an attempted revolution. The course of events, however, ere long bore away that barrier to the State's active loyalty, when none were more earnest in making common cause with the country than Crittenden and his old Whig coadjutors; while the disloyal followed Breckenridge, who preserved the semblance of obedience to his oath only to sit in the councils of the nation at Washington to intrigue and spy for the Southern cause.

Magoffin's "Neutrality" Proclamation.

May 20th, Governor Magoffin issued his proclamation of neutrality, reciting the facts of the existence of a "horrid, unnatural and lamentable strife," for which Kentucky was "not responsible either by thought, word or deed," and declaring:

"Now, therefore, I hereby notify and warn all other States, separate or united, especially the United and Confederate States, that I solemnly forbid any movement upon Kentucky soil, or occupation of any post or place therein, for any purpose whatever, until authorized by invitation or permission of the legislative and executive authorities. I especially forbid all citizens of Kentucky, whether incorporated in the State Guard or otherwise, making any hostile demonstrations against any of the aforesaid sovereignties, to be obedient to the orders of lawful authorities, to remain quietly and peaceably at home, when off military duty, and refrain from all words and acts likely to provoke a collision, and so otherwise conduct that the deplorable calamity of invasion may be averted; but, meanwhile, make prompt and efficient preparation to assume to the paramount and supreme law of self-defense, and strictly of self-defense alone."

All this, at the first view, looked decidedly inimical; and, indeed, was so, as far as a Governor's proclamation was law; but, the people were truer to their own interests than

their law-givers. Major Anderson, the hero of Fort Sumter, a Kentuckian, had been solicited by his fellow-citizens to assume command of a Kentucky brigade. At the date of the proclamation arrangements were perfected for the enrollment of Kentucky's full quota which Anderson was to lead. Its first duty was to watch the hordes overrunning Tennessee, and to see that Buckner and Magoffin did not betray the Commonwealth as Tennessee had been betrayed by her infamously disloyal authorities.

The Legislature (May 22d) refused to accept the proclamation of the Governor

Attitude of the Legislature.

as embodying a relation of the true position which the State should hold toward the Confederate and United States Governments. This was blow number one at "neutrality." The Senate rejected the House bill appropriating three millions to arm the State. This was blow number two. An act was passed amending the Militia law so as to compel the State Guards to take the oath of loyalty swearing to support the Constitution of the United States and of Kentucky. This was blow number three. It virtually killed neutrality. In the Senate, on the 22d, Mr. Rosseau\* made a firm, eloquent, out-spoken speech in behalf of active co-operation with the Federal Government. His declarations indicated the half-repressed sympathies and hopes of two-thirds of his people. We may extract as follows, to indicate the views entertained, at that time, by the unqualified Unionists:

Rosseau's Union Speech.

"When Kentucky goes down, it will be in blood. Let that be understood. She will not go as other States have gone. Let the responsibility rest on you, where it belongs. It is all your work, and whatever happens will be your work. We have more right to defend our Government than you have to overturn it. Many of us are sworn to support it. Let our good Union brethren at the South stand on their ground. I know that many patriotic hearts in the Seceded States still beat warmly for the Union—the old flag. The time will come when we shall all be together again. The politicians are ha-

\* Afterwards the gallant Union General, who led the Kentucky brigade at Pittsburg Landing performed such signal service.



ing their day. The *people* will yet have theirs. I have an abiding confidence in the *right*, and I know this secession movement is all wrong. There is, in fact, not a single substantial reason for it. If there is, I should be glad to hear of it; our Government has never oppressed us with a feather's weight. The direst oppression alone could justify what has brought all our present suffering upon us. May God, in his mercy, save our glorious Republic!"

The Senate, on the 24th of May--the last day of the session--passed resolutions declaring that "Kentucky will not sever connection with the National Government, nor take up arms for either belligerent party; but arm herself for the preservation of peace within her borders, and tendering their services as mediators to effect a just and honorable peace."

It is extraordinary, in view of the great strength of the secession sentiment in the Legislature, that a more revolutionary course was not pursued. Much was owing to the firm stand taken by the friends of the General Government. Though the test vote in the lower House stood forty-nine Unionists to forty-three Secessionists, the former acted in perfect concert, while the latter were divided and vacillating. But, with infinitely less power to back him, the Tennessee Governor had given his State over to the embraces of the black monster of rebellion, and why could not Kentucky be "leagued" with the same dark power?

Dr. Breckenridge's  
Declarations.

Rev. Dr. Breckenridge,  
in his Cincinnati address  
(May, 1862) said: "We are

in the habit of thinking hard, very hard, of the loyal portion in Tennessee or South Carolina, that they permitted this insurrection. They were oppressed at home, and compelled to take up arms against the Government. You will allow me to make a local and personal reference, and to say that if it had not been by mere accident—if it had not been for the blessing of God and the heroism of some persons—the very same thing would have happened in Kentucky; and I will go further and say, in extenuation of the conduct of many who were really loyal citizens further south—I will say further, that it was the proximity of Ohio, Indiana and Illinois, the fidelity of the people of the latter States, upon which these men depended—of your people

and the other two States—that saved Kentucky. The question was flatly asked by General Boyle, of the army, then a private citizen of Kentucky, 'Will you have twelve thousand men ready the moment we ask for them?' It was flatly asked of the Governors of Ohio, Indiana and Illinois, and the reply was, they would sustain them; and I suppose I may add that Mr. Lincoln was telegraphed to, asking whether he would assist them, and he said, 'with his whole power.' Mr. Boyle telegraphed to Governor Dennison for ten thousand men at call. He replied, 'You can have them.' He also asked for ten thousand from Indiana and Illinois, and received the same reply. This was the salvation of Kentucky."

Maryland, Missouri and Kentucky all must have cast their fortunes with the Slave Confederacy had it not been for their proximity to the Free States, and for the presence, among them, of citizens whose devotion to the Union exceeded their love for "Southern institutions." Tennessee and Virginia had such citizens; but, alas! they were "precipitated" before help could reach them, and were only restored to the Union by the appalling ordeals of suffering and blood. The future will scarcely credit as a fact that the conspirators were really eager to court the ordeal—knowing, as they did, that their soil would become the battle-field, and desolation would, inevitably, follow in the train. But, the fact is written in the very word *rebellion*; and can only be accounted for by the reckless ambition which controlled the leaders, and the mental and moral hallucination which possessed the people, namely: of founding a vast Slave Confederacy, untrammelled by any alliance with Free States.

We should not omit to mention, as having exercised an important influence on the loyal sentiment of the State, a letter written by Joseph Holt, ex-Secretary of War, to a citizen of Kentucky, upon the policy of the Federal Government, &c. Its examination of the entire question of Kentucky's relations and duty to the Government, was most able and exhaustive. It dealt unsparing blows at treason—vindicated the right of the Federal Administration to send troops through or into any

Joseph Holt's Letter.



Joseph Holt's Letter.

State to suppress rebellion and treason—rebuked, with much severity, the proclaimed "neutrality" of Kentucky, and censured the course of those whose fears prevented them from doing their duty in the crisis. The letter was printed at length in several leading Union journals, and was, also, issued in pamphlet form. It thus found its way to all sections of the State, and, commanding very general attention, proved one of the most powerful silent influences brought to bear in centralizing opinion to the point of active co-operation against the rebellion.

Tennessee  
Menacing Kentucky.

If any thing was wanting to arouse the patriotism of the people, it was found in the menacing attitude of Tennessee. As early as May 20th, troops in large numbers began to rendezvous along the border—at Fountain Head, Springfield, Mitchellville and near Union City; while, the gathering at Nashville of a force sufficient to "open a way through to Louisville," indicated, more clearly than ever, the design of "compelling Kentucky to assume her true position in the Southern movement." If Kentucky remained independent she would require not only the arms of her own people, but also the co-operation of the General Government.

The Border State  
Convention.

The Border State Convention assembled May 27th. It was attended by one delegate from Tennessee and four from Missouri. None appeared from Virginia—the State at whose instigation the Convention was called. John J. Crittenden was made President. Among the Kentucky delegates were James Guthrie, Archibald Dixon, ex-Governor Morehead, ex-Governor Wickliffe, Joshua F. Bell, &c., &c.

The proceedings culminated in two addresses—one to the People of Kentucky and one to the People of the United States. The first discussed at considerable length the position of the State in the controversy pending. Its terms will be inferred from this closing paragraph:

"Already one section declares that there will be no war at home, but that it shall be in Kentucky and Virginia. Already the cannon and bayonets of another section are visible on our most exposed bor-

ders. Let those hostile armies meet on our soil, and it will

Address to Kentucky.

matter but little to us which may succeed, for destruction to us will be the inevitable result. Our fields will be laid waste, our houses and cities will be burned, our people will be slain, and this goodly land be re-baptized 'the land of blood.' And even the institution to preserve or control which this wretched war was undertaken, will be exterminated in the general ruin. Such is the evil that others will bring upon us, no matter which side we take, if this is to be the battle-field. But there is danger at home, even more appalling than any that comes from beyond. People of Kentucky look well to it that you do not get to fighting among yourselves, for then, indeed, you will find, that it is an ill fight where he that wins has the worst of it. Endeavor to be of one mind, and strive to keep the State steady in her present position. Hold fast to that sheet anchor of republican liberty, that the will of the majority, constitutionally and legally expressed, must govern. You have, in the election by which this Convention was chosen, displayed a unanimity unparalleled in your history. May you be as unanimous in the future; may your majorities be so decided that a refusal to obey may be justly called factious. Trust and love one another. Avoid angry strife. Frown upon the petty ambition of demagogues who would stir up bad passions among you. Consider, as wise men, what is necessary for your own best interests, and in humble submission, trust and look to that Almighty Being who has hitherto so signally blessed us as a nation, for His guidance through the gloom and darkness of this hour."

The address to the People of the United States was an elaborate appeal for peace—patriotic in its tone, yet ambiguous on the point of duty; for, while it deprecated war, it said: "It is proper for us to say that, in our opinion the Constitution delegates to no one department of the Government, nor to all of them combined, the power to destroy the Government itself, as would be done by the division of the country into separate confederacies, and that the obligation exists to maintain the Constitution of the United States and to preserve the Union unimpaired."

If the *obligation* existed to "maintain the Constitution of the United States and to preserve the Union *unimpaired*," why did that Convention pettifog Kentucky into a condition of "neutrality"—of indifference to obligations and solemn duty? The address was also an appeal. The closing portions read:

"May we not earnestly hope that you, the people



Kentucky's Address  
to the People.

the whole people, without regard to parties or sections, will be able to command a settle-

ment of the national difficulties, and will see the propriety and necessity of having a cessation of present hostilities, so that the measures of pacification which your wisdom may devise can be calmly considered by your constituted authorities?

"We venture to suggest for your consideration and action two specific propositions as most likely to lead to pacification:

"*First.* That Congress shall at once propose such constitutional amendments as will secure to slaveholders their legal rights, and allay their apprehensions in regard to possible encroachments in the future.

"*Second.* If this should fail to bring about the results so desirable to us, and so essential to the best hopes of our country, then let a voluntary Convention be called, composed of delegates from the people of all the States, in which measures of peaceable adjustment may be devised and adopted, and the nation rescued from the continued horrors and calamities of civil war.

"To our fellow-citizens of the North we desire to say: Discard that sectional and unfriendly spirit, manifested by teaching and action, which has contributed so much to inflame the feelings of the Southern people, and justly create apprehension on their part of injury to them.

"To our fellow-citizens of the South we desire to say: Though we have been greatly injured by your precipitate action, we would not now reproach you as the cause of that injury; but we entreat you to re-examine the question of the necessity for such action, and if you find that it has been taken without due consideration, as we verily believe, and that the evils you apprehended from a continuance in the Union were neither so great nor so unavoidable as you supposed, or that Congress is willing to grant adequate securities, then we pray you to return promptly to your connection with us, that we may be in the future, as we have been in the past, one great, powerful and prosperous nation."

Still prating compromise! When the Government was in the throes of a revolution to ask the revolutionists to accept any other terms of settlement than an adoption of the fundamental principles of their movement! To ask the Free State majority to accept such "terms of settlement" as a minority would dictate! It was the folly of "whistling down the hurricane," as Mr. Crittenden and his excellent friends soon discovered.

Colonel Prentiss, having been informed of

the presence of a camp of disloyalists at a point only ten miles below Cairo, and

five miles inland in Kentucky, dispatched two companies to proceed to the point indicated and scatter the rebels. This was done during the night of June 5th, when the Union troops returned to Cairo. As a matter of course a protest followed from "the authorities" of Kentucky. These authorities, however, consisted of only one person who, it appeared from his "instructions," had been *requested* by the Governor to preserve the "attitude of self-defense" demanded by the proclamation. Colonel Prentiss answered the protest very curtly by informing the protestant that the Union men of Kentucky should have his aid and protection at all times when it was solicited—that he was only amenable to the Federal Government for his acts.

Under date of June 10th, Major-General Buckner in-

The first Federal "Invasion" of Kentucky.

General Buckner and General McClellan.

formed the Governor that he had entered into an agreement with General McClellan—the Federal commander of the Department of the Ohio—by which the Kentucky authorities were to protect United States property within the limits of the State—to enforce the laws of the United States according to their interpretation by the United States courts, and to enforce, with all the powers of the State, Kentucky's "obligations of neutrality as against the Southern States," &c., &c. McClellan, it was stated, stipulated that the territory of Kentucky should be respected "even though the Southern States should occupy it"—in which case, he was to call upon the State to remove the Southern forces. Failing to remove them within a reasonable time, McClellan claimed the same right of occupancy as that given to the Southern troops, &c., &c. Also stipulating that he (McClellan) would withdraw his forces as soon as he had "removed" the Southern forces! This most absurd "arrangement" was soon made public, much to the dismay of the Federal Administration; but, only a momentary dismay, for General McClellan denied, *in toto*, the statements of Buckner, and stated that he had made *no* arrangement, of *any* kind—that the interview was repeatedly solicited by Buckner, and when it did occur was per-



sonal, not official. He said: "I made no stipulation on the part of the General Government, and regarded his voluntary promise to drive out the Confederate troops as the only result of the interview." Buckner's course, in soon after joining the Confederate cause, bearing with him all the Kentucky troops over whom he exerted any influence, gives us the key to the "views" which he entertained of the interview referred to. He wished to

publish some tangible *excuse* for his defection and found it in the assumed bad faith of the General Government in not carrying out the arrangement which he had made with McClellan! He had quaffed too deeply at the fountain of Jefferson Davis and John C. Breckinridge, and ceased to be the soul of honor when he became the instrument of Southern dishonor. He lived long enough to read his errors and feel his disgrace.

## CHAPTER XIV.

THE CAMPAIGN OPENED. OCCUPATION OF VIRGINIA. DEATH OF ELLSWORTH. REBEL MALIGNITY. BEAUREGARD'S INFAMOUS PROCLAMATION. McDOWELL IN COMMAND. SCOTT'S PLAN OF THE WAR. LIEUTENANT TOMPKINS' GALLANT DASH AT FAIRFAX C. H. OPERATIONS OF GENERAL BUTLER.

Plans of the  
Belligerents.

THE gathering of troops at Washington and Richmond to the majority of observers was, after all, a mystery. The "defense of Washington" did not require so vast an army as rendezvoused there in May; nor was the immense aggregation of Southern forces at Richmond, at the same time, explained by the declared policy of the Confederates "to resist invasion." If the Federals did not intend invasion, and the Confederates did not design to attack the Capital, the novice in the art of war might well ask—then why the armies?

There was wisdom in this careful avoidance of the first aggressive step. Notwithstanding the offenses already committed by the revolutionists against the United States Government, and the menacing attitude of their armies, the Federal Administration evidently preferred to allow the hot-heads to commit the first act of hostilities direct. There was not much delay in that act. With twenty-five thou-

sand rash, insolent and violent men—the "flower of the Southern youth"—in

arms, rest and a bloodless duty were simply impossible. By May 15th the reconnoissances and surveys made by the enemy, of the Virginia territory opposite Washington, made it apparent that the heights at Arlington, Alexandria, and the hills above Georgetown, were to be occupied. The aggregation of troops at Harper's Ferry was followed by their occupation of the hills opposite, in Maryland. The ferry at Williamsport was commanded by a large detachment of Virginia and South Carolina troops, May 19th, preparatory to crossing. Attempts were also made to seize the ferry boats near Clear Spring, and at other points—all looking to an invasion of Maryland to co-operate with an arranged uprising in Baltimore. The plan of the rebels, it afterwards appeared, was to pass around Washington, after securing the surrounding point against approach; then to precipitate the

Plans of the  
Belligerents.



Plans of the  
Belligerents.

entire disposable Confederate force upon Chambersburg and Philadelphia. It

was conceived that a quick stroke in that direction, securing the great commercial centre of Philadelphia, and cutting off Washington from *all* approach—for the Potomac was commanded by rebel batteries at Acquia Creek and other points—would allow the Confederates to dictate their terms of settlement and peace.

All these manœuvres were fully understood by General Scott. With his usual sagacity the old Commander changed the face of affairs in a night. Awaiting the election in Virginia, on the 23d, on the night of that day the movement over the Potomac was made, which compelled the enemy to centre all his attention in that direction and at the Yorktown peninsula, to cover their then capital from seizure.

The Federal Advance  
into Virginia.

The advance was well and secretly matured. But few persons, even of those in

high places, knew of the stroke designed, although from the note of preparation sounding through all the camps, it was apparent that some movement was contemplated. All the various points of crossing the Potomac were guarded late in the day of May 23d, to prevent the passage over of any boat which might communicate news of the "invasion" to the rebel pickets on the opposite shore. These sentries were composed chiefly of the Washington City volunteer companies, who acted throughout the entire proceeding with commendable zeal and courage. "A full moon looked peacefully down, and perfect quiet reigned on all the neighboring shores. But this was to give place very speedily to more stirring movements. Somewhat after midnight Captain Smead's company, the National Rifles, and Captain Powell's company were advanced across the bridge to the neighborhood of Roach's Spring. Scouts were sent out in all directions, who managed to get past the line of the Virginia pickets. Somewhat later the Virginia pickets, getting the alarm, set spurs to their horses and made off down the road towards Alexandria, in hot haste." The Constitutional Guards, Captain Degges, were on duty over the bridge. They

The Federal Advance  
into Virginia.

were advanced down the country as far as Four Mile Run. Thus, the District

volunteers served as pioneers in opening the campaign of the War for the Union.

The passage of the troops commenced simultaneously, at two o'clock Friday morning, over the Long Bridge and the Chain Bridge at Georgetown, while the Ellsworth Fire Zouaves steamed away on transports direct from their encampment for Alexandria. The vanguard, commanded by Inspector-General Stone, was composed of six companies of the District volunteers. This was followed (over Long Bridge) by the New York Twelfth and Twenty-fifth, the First Michigan, the First, Second, Third and Fourth New Jersey; then two companies of regular cavalry; then Sherman's two batteries, while the New York Seventh, as a reserve, brought up the rear. General Mansfield commanded the movement over the bridge, though Major General Sanford, of the New York volunteers, assumed temporary command in Virginia, passing over the bridge at four o'clock, A. M. He proceeded, with his staff, directly to Arlington Heights. General Scott and Secretaries Cameron and Seward were at the bridge to witness the passage. But few other spectators were present. The slumber of the city was not broken. Its citizens awoke to learn that ten thousand troops had passed into the enemy's country.

General McDowell conducted the advance over the Georgetown bridge. The New York Sixty-ninth, Colonel Corcoran, followed by the Twenty-eighth, a company of regular cavalry (Drummond's) and a battery. The Sixty-ninth proceeded to seize the Orange and Manassas Gap railway, over which the Secessionists of Alexandria must retreat. A few rails were displaced, when the train, as expected, came up, having on board about seven hundred persons—among whom were three hundred men, who were held as prisoners.

The work of entrenching immediately commenced; the great number of tools as well as construction material which followed the force over, indicated the extent of labor designed.

The New York Fire Zouaves arrived at



The Federal Advance  
into Virginia.

Alexandria to find that Commander Rowan, of the gunboat *Pawnee*, already had given the people warning of the advance—a hint for the enemy's troops to escape, of which they availed themselves. But a little company of cavalry remained as a squad of observation. The Zouaves, with a small detachment from the New York Seventy-first, landed under cover of the *Pawnee's* guns, and immediately proceeded to take possession of the town, the railway, telegraph and the approaches. At this time Colonel Wilcox, with his Michigan regiment, came down from Long Bridge; simultaneously the two regiments took possession. The New York Twelfth, took position midway between the Bridge and Alexandria. The New York Twenty-fifth pushed out towards Falls Church. The New York Seventh held Long Bridge, whose approaches they proceeded at once to fortify and secure against any possible assault.\*

In the occupancy of Alexandria occurred the tragedy of the assassination of Colonel Elmer Ellsworth. The landing of his regiment having been effected in safety, he proceeded at once into the village. Perceiving on the "Marshall House" the secession flag still flying, which had been run up as a taunt to the President's House—from which it was visible—he pushed direct for the hotel, accompanied by three persons, and a Sergeant's squad from Company A, as a guard. The entire company was afterwards ordered up. The Colonel, his three friends and a private named Francis E. Brownell, proceeded to the roof of the hotel, where Ellsworth lowered away the flag. Returning, Brownell led the way, followed by his Colonel with the flag in his arms. They were confronted on the third

\* This fine regiment, having proceeded to Washington to guard the Capital until other forces could arrive, was relieved of duty by orders of May 30th. May 26th it was returned to Washington by orders of Brigadier-General Mansfield, whose order read: "The security of this city renders it imperative that you should resume your encampment on this side; and you will this afternoon march over accordingly, and hold your regiment here ready to turn out when called upon." It accordingly returned, giving place to other troops, which passed on over the Bridge daily after the 24th.

floor stairs by the proprietor of the house, one Jackson, who levelled the double

barrelled shot-gun with which he was armed directly at Ellsworth and fired almost instantly—the charge lodging in the Colonel's breast. Ellsworth fell forward, with an exclamation of sharp pain. The assassin dropped the aim of his gun to take off Brownell, but the Zouave shot and bayoneted the murderer in an instant—the shot-gun discharging its contents into the wainscoting over head. Ellsworth was borne to a bed, but was dead.

This tragedy sent a thrill of horror through the country. While it illustrated the spirit of insane malignity which controlled the Secessionists, it demonstrated the folly of leniency towards such an enemy. To the Zouaves—a corps of as fine soldiers as ever walked the field—the loss of their beloved leader was indeed irreparable. They never afterwards were the model regiment which they had become under Ellsworth's peculiar and wonderfully thorough discipline. His loss was a source of national regret, for a more devoted and promising officer the Union army did not contain.

This occupation of Virginia of course excited the revolutionists intensely.—

Outcry of Secession  
Journals.

Their press teemed, for a few days, with a rhetoric which ran the octave of defamatory and incendiary expletives. The Richmond journals were not least in that wordy bombardment of the "Yankees." The *Enquirer* said:

"We congratulate the people of Virginia that the last flimsy pretext of the Rump Government at Washington, of regard for Constitutional laws, has been thrown aside. The sovereign State of Virginia has been invaded by the Federal hirelings, without authority of Congress, which alone has the war-making power. Heretofore, the pretense that it was the duty of the Federal Government to repossess itself of the forts and arsenals in the Seceded States, has been put forward to justify the aggressive movements of Federal troops. But in the present case there is no such pretense; no forts, or arsenals, or other Federal property have been seized at Alexandria. The 'bloody and brutal' purposes of



the Abolitionists, to subjugate and exterminate the Southern people, stands confessed by this flagrant outrage upon Virginia soil.

"Virginians, arise in your strength and welcome the invader with 'bloody hands to hospitable graves.' The sacred soil of Virginia, in which repose the ashes of so many of the illustrious patriots who gave independence to their country, has been desecrated by the hostile tread of an armed enemy, who proclaims his malignant hatred of Virginia because she will not bow her proud neck to the humiliating yoke of Yankee rule. Meet the invader at the threshold. Welcome him with bayonet and bullet. Swear eternal hatred of a treacherous foe, whose only hope of safety is in your defeat and subjection."

Beauregard's Infamous Proclamation.

This rhetorical indignation culminated in the Proclamation issued by Beauregard, a few days subsequently, (June 5th,) which, for the baseness of its untruths and the malignity of its spirit was scarcely paralleled, during the war, by the address of the rebel leaders. We may reproduce the document, both as a curiosity and to stamp its author's name with that infamy which is sure to follow all dangerous pandering to the worst passions of deceived men:

"HEAD-QUARTERS, DEP'T OF ALEXANDRIA, {  
Camp Pickens, June 5th, 1861. }

"A PROCLAMATION.

"*To the People of the Counties of Loudon, Fairfax, and Prince William:*

"A reckless and unprincipled tyrant has invaded your soil. Abraham Lincoln, regardless of all moral, legal, and constitutional restraints, has thrown his Abolition hosts among you, who are murdering and imprisoning your citizens, confiscating and destroying your property, and committing other acts of violence and outrage, too shocking and revolting to humanity to be enumerated.

"All rules of civilized warfare are abandoned, and they proclaim by their acts, if not on their banners, that their war-cry is 'Beauty and Booty.' All that is dear to man—your honor and that of your wives and daughters—your fortunes and your lives, are involved in this momentous contest.

"In the name, therefore, of the constituted authorities of the Confederate States—in the sacred cause of constitutional liberty and self-government, for which we are contending—in behalf of civilization itself, I, G. T. Beauregard, Brigadier-General of the Confederate States, commanding at Camp Pick-

ens, Manassas Junction, do make this my Proclamation, and invite and enjoin you by

Beauregard's Infamous Proclamation.

every consideration dear to the hearts of freemen and patriots, by the name and memory of your Revolutionary fathers, and by the purity and sanctity of your domestic firesides, to rally to the standard of your State and country; and, by every means in your power, compatible with honorable warfare, to drive back and expel the invaders from your land.

"I conjure you to be true and loyal to your country and her legal and constitutional authorities, and especially to be vigilant of the movements and acts of the enemy, so as to enable you to give the earliest authentic information at these head-quarters, or to the officers under my command.

"I desire to assure you that the utmost protection in my power will be given to you all.

"G. T. BEAUREGARD,

"Brigadier-General Commanding."

As the Federal army had, in its "invasion" studiously avoided any and every act of violence toward those not in arms against their country—as it proclaimed peace and protection to all unarmed citizens, and carefully guarded the property even of those known to be disloyal—the rebel General's declarations of "beauty and booty" were calculated to drive a less magnanimous foe to the commission of violence in retaliation. But, through all the struggle, prosecuted with unfeeling rigor by the Southern leaders, even toward their own people, the Federal army, of invasion, appeared as the friend of its worst enemies. It found chaos, suffering, lawlessness *everywhere* as it advanced into the rebellious sections, only to restore law, order, business, and to give social peace. A more truly forgiving, lenient and chivalrous foe the world never saw than the one which confronted the desperate men who sought to erect a Slave aristocracy on the ruins of the Union and Constitution.\*

\* Those who write in the interest of Secession, of course will deny this averment; but, we are quite willing to rest our statement on a showing of facts. From the date of the President's Proclamation of April 15th, (1861,) down to his Proclamation announcing the terms of the Congressional Act of Confiscation (passed July 10th, 1862), but one spirit was betrayed toward the enemies of the country—a spirit of forbearance and conciliation, to which time will not fail to affix its seal of evidence that a truly humane and Christian policy actuated the Federal Executive in its prosecution of the war.



Brigadier-General Irwin McDowell assumed command of the army of occupation May 27th. The military department of the Potomac was created May 28th, over which he was placed. Its boundaries comprised the section of Virginia lying east of the Alleghanies, and north of James River, exclusive of the Yorktown Peninsula and Fortress Monroe, where Major-General Butler then was in supreme command. McDowell issued (June 2d) his orders (General Order No. 4) requiring, from the commanders of brigades and officers in charge of fortifications, "statements of the amount, kind, and value of all private property taken and used for Government purposes, and the damage done in any way to private property by reason of the occupation of this section of the country by the United States troops." The Proclamation further stated: "The commanders of brigades will make this order known to the inhabitants in their vicinity, to the end that all loss or damage may, as nearly as possible, be ascertained while the troops are now here, and by whom and on whose account it has been occasioned, that justice may be done alike to the citizen and the Government."

This Proclamation was the key-note of Federal policy: "that justice may be done alike to the citizen and the Government," as Beauregard's wretched fulmination, burdened with falsehood and malice, was the key-note of Confederate policy.

The movement into Virginia did not argue an early advance upon Richmond. The army was too entirely unskilled in war; its equipments, artillery and means of transport were all inadequate to the forward movement which must, of necessity, be made to "suppress the insurrection." General Scott adapted means

General Scott's Plan.

to ends. He clearly comprehended the vastness of his work, and labored diligently to acquire all the *materiel* to promote and insure success. His slow massing of men ere long excited complaint among those who preferred a short campaign and hot work; but, the confidence reposed in his judgment, by the Administration and the people, left him free to act unrestrainedly. He planned the gigantic

campaign afterwards worked out. Though changed in some of its details by his successors, and modified by the force of circumstances, the War for the Union was prosecuted throughout upon the general plan developed by the Lieutenant-General in the early stages of the struggle. It comprised simply a crowding of the enemy toward a common centre. To this end camps were formed at Cairo, Chambersburg, Washington and Fortress Monroe, from each of which to advance;

General Scott's Plan.

while naval expeditions accomplishing the captures of strong positions on the Atlantic and Gulf, would give points of occupation to assail the revolutionists in the rear. The plan contemplated the early capture of Charleston, Pensacola, Mobile and New Orleans.

To the perfection of the gigantic means necessary to accomplish such results, the General-in-Chief bent all his energies—then impaired physically, but clear, strong and sagacious as ever, mentally. The storm of invective with which the revolutionists met the President's call for troops, and the derision of his order for the malcontents to lay down their arms and return peaceably to their homes within twenty days, were but minor evidences that the struggle to suppress the rebellion must call forth all the resources of the Government. A truly Herculean struggle was impending. The tone of every Southern proclamation was warlike and defiant. The spirit of peace had vanished, and, in its place, arose passions as ferocious as the human heart could well conceive and bring forth. Prodigious efforts were put forth by the revolutionary leaders to throw into the field, at once, an army of great magnitude and recuperative resources. All these convinced the commanding General that haste, or inconsiderate action must peril the Capital if not the country's very existence. He chose, therefore, the policy inaugurated by the movement into Virginia—of an *occupation*, to await the time when a well-trained army, with plentiful resources should move forward to certain and effective victory.

One other course he could have pursued—that of early advance and rapid strokes at every vulnerable point. This system best



sued the ardent aspirations of the people. It might have succeeded—it might have failed. To have failed would have been to imperil all. Scott's policy forbade failure: and he moved on slowly to the consummation of the great work in hand—that of suppressing the rebellion in such a manner as to lay it forever.

The Military Departments.

The Military Departments at the date of May 28th, were as follows:

Department of the East, subdivided as follows: OF WASHINGTON: embracing the District of Columbia according to its original boundaries; Fort Washington and the country adjacent, and the State of Maryland, including Bladensburg and Baltimore. Head-quarters at Washington.

OF THE SOUTH: embracing Eastern Virginia, North Carolina and Tennessee. Head-quarters at Fortress Monroe.

OF ANNAPOLIS: comprising the country for twenty miles on each side of the railway from Annapolis to Washington, as far as Bladensburg, Maryland. Head-quarters at Annapolis.

OF PENNSYLVANIA: embracing the States of Pennsylvania and Delaware, and all of Maryland not included in other departments. Head-quarters at Philadelphia.

OF THE WEST: comprising the country west of the Mississippi and east of the Rocky Mountains, except those portions included in the limits of Texas and New Mexico. Head-quarters at St. Louis.

OF THE OHIO: including the States of Ohio, Indiana, Illinois and Western Virginia.

OF TEXAS: embracing the State.

OF NEW MEXICO: embracing that Territory. Head-quarters at Santa Fe.

OF THE PACIFIC: embracing the country west of the Rocky Mountains. Head-quarters at San Francisco.

OF UTAH: embracing Utah, except that portion lying west of 117th deg. W. longitude. Head-quarters at Camp Floyd.

These were chiefly the old assignments. The new state of affairs necessitated great changes. May 28th, the department of Eastern Virginia was created, comprising all of Virginia lying east of the Alleghanies and north of James River—Fortress Monroe and

vicinity excepted. This embraced the field of active operations. Brigadier-General McDowell was placed in command, his staff comprising: Colonel P. Stone, Fourteenth U. S. infantry, Captain B. O. Tyler, brevet Captain Joseph B. Fry, and Lieutenant Putnam, of the Topographical Engineers.

The Military Departments.

George B. McClellan, Major-General of the Ohio volunteers, was placed in command of the department of the Ohio. B. F. Butler was in command at Fortress Monroe. These two commanders were nominated to be Major-Generals, in the U. S. army, May 16th. Brigadier-General Harney was in command at St. Louis. Major-General of volunteers Patterson was in command of the department of Pennsylvania, taking up head-quarters at Chambersburg early in June, preparatory to a movement on Harper's Ferry.

McDowell relieved Major-General Sandford of the command in Virginia,

McDowell in Command.

May 27th, and immediately addressed himself to the work of covering the operations of the engineers, whose plans for fortifications opened out on a very extensive scale. Picket and scout advances only were made—the design being to entrench and prepare for the general contingencies of the long and severe campaign which seemed to be assured.

A spirited affair occurred early on the morning of

A Gallant Affair.

June 1st, when one of these scouting parties made a dash into Fairfax Court House village. The Federal force consisted of seventy-five men of the Second U. S. cavalry, Co. B, commanded by Lieutenant Tompkins, assisted by Lieutenant Gordon, of the Second dragoons, and accompanied by three officers of the New York Fifth regiment. Reconnoitering up to within three hundred yards of the village, the party was discovered by the rebel pickets, who fired and fled. Two of the pickets were seized and a dash made into the place from the north. The Virginia cavalry hastily formed. Into their ranks the Federals charged, dispersing them quickly, emptying several saddles and securing the horses. The Union cavalry wheeled and charged back, running the gauntlet of shot fired from houses and gardens. At the head of the street they



were confronted by two detachments of the Warrenton rifles and a field-piece, under command of Colonel Ewell and Governor Smith. A skirmish followed, but the cavalry succeeded in cutting its way out, having secured five prisoners. The Federal loss was one killed, three missing, four wounded, and twelve horses lost. Of the three missing, one afterwards made his way into camp. Two were held as prisoners. The rebels were so infuriated at this saucy assault that they threatened to hang the two prisoners. Hearing which, the advance New York Twenty-eighth resolved upon a rescue. Company B of that regiment was immediately mounted and pushed out for Fairfax. The Court House was suddenly surrounded, the prisoners secured, and the company returned in triumph to camp. These exploits had in them that vigor which argued well for the spirit of the contest. The history of the war is filled with exploits of this daring nature, some of which betrayed extraordinary hardihood. Unionists and rebels alike were ready for such enterprises; but, the latter being "at home" in the South, and being also very efficiently mounted, generally succeeded in committing the most havoc with the least injury to themselves.

Bombardment of the  
Acquia Creek Batteries

The rebels having planted batteries at Acquia Creek, covering the Fredericksburg and Richmond railway depot, Captain Ward, of the gunboat *Freeborn*, opened on them, on the morning of May 31st. The steamer *Anacosta*, Lieutenant N. Collins, together with the *Resolute*, participated. The cannonade was furious, and resulted in silencing three of the shore batteries, though one heavy battery on the hill replied with

such vigor that the boats were compelled finally to withdraw from the assault. The bombardment was renewed on the following morning, by the *Freeborn* and *Pawnee*. It continued with great obstinacy for five hours, when the Union gunboats hauled off but slightly injured, having completely destroyed the railway depot and the pier, and badly cut up the enemy's forces in the batteries. The batteries were not, however, silenced but thereafter, for several months, worried the navigation of the Potomac by their powerful and well-served rifled guns.

This partial success in repelling the gunboats, inspired the Confederate authorities with renewed zeal in their efforts for commanding the Potomac with batteries, from Gloucester Point on the Chesapeake Bay, up to High Point at the mouth of the Occoquan, just below the Mt. Vernon estate. It was several months, however, before they succeeded in rendering the "blockade" of the river a matter of serious detriment to the Commissariat department of the National army.

Over Mt. Vernon reigned  
the spirit of peace. Each  
party resolved not to invade

The Mt. Vernon  
Estate.

the estate rendered sacred by the remains of the illustrious dead. Rescued from decay chiefly by the money contributed in the Northern States, the dilapidation of the Washington estate had but recently become other than a disgrace to Virginia and to the country; and, though its female warden was a rank secessionist, she was permitted to plant flowers in safety over the tomb of him whose "Farewell Address" must have made the halls of the old mansion gleam with a hand writing on the wall for its disunion inmates.



## CHAPTER XV.

### THE DISINGENUOUS POLICY OF THE CONFEDERATES.

The Confederate  
Key-Note.

FROM documents already submitted,\* it will be seen the revolutionists construed

their cause as that of the injured party. Declaring their *right* to revolt (secede) from the Federal Union, they assumed all steps to suppress the revolt as efforts for their subjugation. Proclamations, messages, speeches, editorials fairly scintillated with the fires of passion enkindled against the "oppressors." The advance into Virginia was proclaimed as having opened the war! From that moment the Confederate Chiefs declared their course to be clearly defined! Thus, a correspondent (probably one of Davis' Cabinet officers) for the New Orleans *Delta*, writing from Montgomery, said:

"The startling intelligence of the invasion of the soil of Virginia, and the actual occupation of Alexandria by United States forces, was received here last evening. The Cabinet, I am informed, immediately went into a procrastinated session. No event since the initiation of this revolution has ever created a sensation so profound, and so sorrowful. The mere taking of a deserted and exposed village, is in itself nothing; but when regarded as indicative of the future policy of the old Government, it at once becomes a question pregnant with great importance. Mr. Lincoln has declared in his proclamation, and at various other times reiterated the expression, that the only object his Government had in view, was the retaking and the reoccupation of what he asserted to be Government property; but now, in the face of this promise, which has gone before the world, he converts his Abolition horde

into an army of invasion, and now occupies a city within the boundaries of our Republic. This Government has no longer an election. Its duty is now manifest to all. The nation must rise as a man and drive the hireling miscreants from a soil polluted by the foulness of their tramp. Virginia alone could speedily perform the work of expurgation, but *her* cause is now *our* cause, *her* battles *our* battles, and let the Government at large pour a continuous stream of men into Virginia, and preserve from dishonor that patriotic mother of States."

This was the key-note to which the clarions of the conspirators were set. A

The Confederate  
Key-Note.

man strong and daring enough to have pointed at the long list of crimes which the revolutionists had perpetrated against a forbearing Government, against the laws, against order, against society, would have found a halter placed around his neck, no matter what his social position. No voice was heard, after the issue by the Federal Executive of the Proclamation for troops to cause the laws to be respected, which did not swell the wild chorus of treason. The very air seemed resonant with the baying of shadowy hounds, recalled from the jungles wherein the slave crouched for one moment of sweet liberty, to be turned Northward for the blood of loyal men. Plantations, villages, cities, camps rung with the cry: "On to the cities of the North!" while the harbors and bayous of the Confederacy echoed to the imprecations of the piratical host who proposed to "sweep Northern commerce from the seas." If any citizens of the Confederacy yet prayed and longed for the return of reason, they now beheld how futile were their hopes, and, before that popular clamor, were awed into silence or were swept into the revolution with a new-found enthusiasm, pledging themselves

\* See Message of President Davis, page 122, *et sequitur*; the last communication of the Confederate Commissioners, pages 69-71; the several proclamations by Governors of Virginia, North Carolina and Missouri; the proceedings of the Confederate Congress; the speech of Davis, at Richmond, June 1st, (given on succeeding page,) &c., &c.



The Confederate  
Key-Note.

heart, and hand, and purse, to the cause of "Southern Independence." The annals of revolution furnish no parallel to that astonishing zeal in the reckless pursuit of power. Had the lamented Mr. Buckle lived to study the secret springs of the Southern heart, he would have found strong confirmation of his theories. The lack of a just comprehension of the intellectual claims of the age—the want of a just conception of the rights of man and the powers of government—rendered the Southern people easy victims to retrogressive ideas and the wiles of designing, unscrupulous men.

Wigfall.

President Davis arrived at Richmond, May 29th, accompanied by Wigfall, then a Colonel in the Confederate service. The Texan followed his *master*, as such creatures ever have and ever will follow those whose talents they can but ape—to do his behests in exciting antagonisms in the minds of the Southern people against the North. For this he was commissioned; his malignant tongue and dishonest heart were worth more to the Southern cause than the service of many an able commander. Men of daring minds always find such shadows to do their will. He who seeks to write the secret history of the rebellion, will find Lewis T. Wigfall gliding across the page at unexpected times and in unexpected places.

Davis' Exordium.

Davis was serenaded by the Richmond people, on the evening of June 1st. He then enunciated the principles upon which he proposed to administer "the cause so dear to Southern hearts." We may quote:

"The cause in which we are engaged is the cause of the advocacy of rights to which we were born, those for which our fathers of the Revolution bled—the richest inheritance that ever fell to man, and which it is our sacred duty to transmit to our children.

"Upon us is devolved the high and holy responsibility of preserving the constitutional liberty of a free government. Those with whom we have lately associated have shown themselves so incapable of appreciating the blessings of the glorious institutions they inherited, that they are to-day stripped of the liberty to which they were born. They have allowed an ignorant usurper to trample upon all the prerogatives of citizenship, and to exercise powers

never delegated to him; and it has been reserved to your own State, so lately one of the original thirteen, but now, thank God, fully separated from them, to become the theatre of a great central camp, from which will pour forth thousands of brave hearts to roll back the tide of this despotism.

Davis' Exordium.

"Apart from that gratification we may well feel at being separated from such a connection, is the pride that upon you devolves the task of maintaining and defending our new Government. I believe that we shall be able to achieve this noble work, and that the institutions of our fathers will go to our children as safely as they have descended to us.

"In these Confederate States we observe those relations which have been poetically ascribed to the United States, but which never there had the same reality—States so distinct that each existed as a Sovereign, yet so united that each was wound with the other to constitute a whole; or, as more beautifully expressed, 'Distinct as the billows, yet one as the sea.'

"Upon every hill which now overlooks Richmond you have had, and will continue to have, camps containing soldiers from every State in the Confederacy; and to its remotest limits every proud heart beats high with indignation at the thought that the foot of the invader has been set upon the soil of old Virginia. There is not one true son of the South who is not ready to shoulder his musket, to bleed to die, or to conquer in the cause of liberty here.

"Beginning under many embarrassments, the result of seventy years of taxation being in the hands of our enemies, we must at first move cautiously. It may be that we shall have to encounter sacrifices, but, my friends, under the smiles of the God of the Just, and filled with the same spirit that animated our fathers, success shall perch on our banners. I am sure you do not expect me to go into any argument upon those questions which, for twenty-five years, have agitated the country. We have now reached the point where, arguments being exhausted, it only remains for us to stand by our weapons.

"When the time and occasion serve, we shall smite the smiter with manly arms, as did our fathers before us, and as becomes their sons. To the enemy we leave the base acts of the assassin and incendiary; to them we leave it to insult helpless women; to them belongs vengeance upon man."

What was most remarkable, in this speech, to a Northern comprehension,

Confederate Want  
Consistency.

was its perversion of facts, and the idea that upon the Slaveholders *as such*, devolved the "high and holy responsibility of preservin



Confederate Want of  
Consistency.

the constitutional liberty  
of a *free* government."

As Mr. Stephens, the Vice-

President, had already enunciated the results of the movement for disunion to be "a *new* constitution" and a new "*form of Government*," [see page 63,] the statement of the President in reference to the mission of the Confederacy sounded a little inconsistent; but, one feature of the south-side view of things was that it neither required consistency nor truth for its propagation. Therefore the further declaration of the President: "beginning under many embarrassments, the result of seventy years taxation *being in the hands of our enemies*," ceased to excite even an exclamation of surprise. The fact was that the Slave States—the Cotton-growing States in particular—had received one hundred dollars benefit from the Union for every dollar imposed upon them by "tax" or otherwise;\* but, Mr. Davis and his friends did not choose to view facts in the light of facts. They preferred to proceed upon the supposition that a Slave owner was better, was infinitely superior, as a man, to a non-Slave owner—that the South, notwithstanding its immense minority [see Vol. I, page 28; also Appendix, Vol. I, page 523,] in population and wealth, and its inferiority in all the resources which add to the permanent prosperity of a country—was, nevertheless, the accredited arbiter of the Constitution, the exclusive monitor of the laws. That the revolutionists and their antagonists were as wide apart in their cardinal principles as the cardinal points of the compass, became apparent from the moment when Toombs and Wigfall first proclaimed their *right* to do as they pleased, despite the Government and the laws.

Mr. Stephens, at Atlanta, May 23d, did not wait for Federal "invasion" to declare his war-programme. He wanted no mere pretense to skulk behind, but came out, flatly, for the contest on the issues already created. His speech, like that of Davis, contained its due proportion of misstatement. Their cause

\* See statements of Mr. Everett, as given in Vol. I, page 206; also his remarks given in foot-note to page 14, Vol. I; also foot-note, Vol. I, page 168; also statements given on pages 206, 207, Vol. I.

must have been indeed bad when such men as Stephens had to descend to unqualified untruths. We quote:

Confederate Want of  
Consistency.

"The acts of Lincoln exhibit the spirit of *anarchy*, which is abroad in the North, and *total disregard* of all *constitutional obligations* and limits by the *Abolition* despot now in power. The North is fast drifting to anarchy and an established despotism."

Coming from the lips of a man elevated to power by no vote of the people—embodying the sentiments of a Government inaugurated over the people without, *in a single instance*, allowing them to express their opinion and wishes in regard to that Government—we can well understand why the word "despotism" so frequently was upon the Vice-President's lips. The silly statement that *anarchy* was reigning in the North was a natural sequence of the general assumptions of the Vice-President: it was so wide of the truth that history will not fail to express surprise that even Mr. Stephens should have uttered such reckless language. He further added, as a corollary of his hopeless account of affairs in the North:

"On you, therefore, as citizens of the Confederate States, depend the success and perpetuation of Constitutional liberty; for the day is not far off when freedom will exist only south of Mason and Dixon's line, and your stout arms and brave hearts will be her only support on all this continent."

This would excite a smile were its consequences less fatal. That the South was fighting the cause of constitutional liberty was gainsayed by the very purpose of the revolution itself, which aimed at overthrowing the Constitution and its provisions for the rule of the majority. But, so stultified were the leaders of the revolution, and so apparently willing were the masses of the Southern people to be deceived, that each inconsistency grew to be a virtuous exception, and each departure from truth became a *fortiter in re* argument to strengthen their cause.

Said the Vice-President: "We prefer and desire peace if we can have it; but if we cannot, we must meet the issue forced upon us. We must meet Lincoln and his myrmidons on their own ground, and on their own terms—on Constitutional principles."

We prefer peace! The record of blood, the story of the crusade which had then been



Confederate Want of  
Consistency.

waged against the Government for three months, savored of peace, truly! It was the old highwayman's plea—if you resist, your blood be on *your own* head.

But it was the only plea with which the Confederates baptized their cause. Its disingenuousness was a fair exemplar of the *morale* of the cause.

Davis, in his reply to the three Maryland Commissioners, (May 25th,) said :

“The Government of the Confederate States receives with respect the suggestion of the State of Maryland, that there should be a cessation of the hostilities now impending until the meeting of Congress in July next, in order that said body may, if possible, arrange for an adjustment of the existing troubles by means of negotiations rather than the sword.

“But it is at a loss how to reply without a repetition of the language it has used on every possible occasion that has presented itself since the establishment of its independence.

“In deference to the State of Maryland, however, it again asserts, in the most emphatic terms, that its sincere and earnest desire is for peace, and that while the Government would readily entertain any proposition from the Government of the United States, tending to a peaceful solution of the present difficulties, the recent attempts of this Government to enter into negotiations with that of the United States were attended with results which forbid any renewal of proposals from it to that Government.

“If any further assurance of the desire of this Government for peace were necessary, it would be sufficient to observe that being formed of a confederation of sovereign States, each acting and deciding for itself, the right of every other sovereign State to assume self-action and self-government is necessarily acknowledged.

“Hence conquests of other States are wholly inconsistent with the fundamental principles, and subversive of the very organization of this Government. Its policy cannot but be peace—peace with all nations and people.”

This but repeats the assumptions already

adverted to, as having characterized the Confederate policy. But, what a mockery was it when, by every possible act, the “new Government” had goaded the Federal Executive into a simple defense of its very existence! Peace—a cessation of hostilities—while upon every hand the Southern hordes were gathering, to menace Washington; were plotting to force Maryland into an attitude of rebellion; were intriguing in Tennessee and Kentucky prior to their forced possession; were overrunning Western Virginia and exiling or imprisoning its Union men! Peace? It would have allowed the conspirators just the time they required to repossess themselves of every Border State, and then to have won a foreign recognition by the very force of being fifteen States strong. The very claim was an insult to the intelligence of the loyal section of the country; and was put forth by Davis, with the full consciousness that it was so regarded. He characterized Mr. Lincoln as “an ignorant usurper”—he stated that “those with whom we have lately associated have shown themselves incapable of appreciating the blessings of the glorious institutions they inherited:”—what object could the conspirator have had in asking for peace from those whom he thus reviled, but to encompass their final ruin? His impudence was only less sublime than his insolence. History, looking scrutinizingly into their words and acts, will not fail to award Jefferson Davis and his coadjutors the peculiar praise of having exceeded Machiavelli's Prince in the practice of the arts of hypocrites and rogues. Talleyrand would have retired abashed to his cloister before their superior excellences in duplicity and ministerial subterfuge.

A gentler estimate of their character we may not make with the innumerable witnesses at hand to confirm the judgment we have uttered.



## CHAPTER XVI.

THE POLICY OF THE FEDERAL ADMINISTRATION IN THE CONDUCT OF THE WAR. INSTRUCTIONS TO FOREIGN MINISTERS. SUSPENSION OF THE HABEAS CORPUS ACT. ARREST OF ENEMIES OF THE GOVERNMENT. BUTLER'S MODE OF DEALING WITH SLAVES.

The Dread of Strife. THE American public, prior to the bombardment of Sumter, was extremely divided in sentiment as to the proper course to pursue towards the recusant States. The horror of civil war was so great that, even those who well loved the Union and the Constitution, shrank from a resort to arms to enforce the authority of the Government. So strong was this feeling throughout the North, for the first three months of the year 1861, that it had its influence upon those in power; and it became a matter of question with observant men if Mr. Lincoln were not going to accept the secession of the Southern States as a calamity which he could not avert.

The desire to retain the Border States—the wish to feel the pulse of the people—the resolve to throw the responsibility of civil war upon the rebels—the hope of uniting the sentiment of all loyal men upon the line marked out if the ordeal of war was forced: all contributed to influence the quiet course of the Administration during the first weeks of its power. Succeeding events seemed to favor if not imperatively demand the sternest resort to force to suppress the conspiracy. It is evident that the President clearly comprehended his position and the demands made upon him by the great peril of the times; but, his well-known character for forbearance made him shrink from the appalling sacrifice of blood and treasure which war must entail. Even after the blow was struck which left no alternative but submission to the South or a defense of the Government against revolution, that repulsion was so strong as to induce a course which strongly savored of timidity in its leniency.

But, it was the leniency of a fearless man. While the President shrank from the ordeal, he was cautiously but expeditiously preparing for the worst. His determination not to compromise the dignity and the authority of the Government was clearly and succinctly stated in his Inaugural Address. To that end he calmly awaited the issue of events, resolving to preserve peace but not to preserve it at the sacrifice of the prestige and integrity of the Union. We have stated [see page 56] that the President's course in the conduct of the Fort Sumter affair was characterized by a profound sagacity exceeding that of his advisers and of the General-in-Chief of the army. The Southern leaders proposed to "conquer a peace;" yet, they did not, nor did the majority of their intelligent constituents desire a state of actual war [see pages 60–66] until it was found that the Federal Government would *not* yield one atom to their dictation. *Then* it was war—war to the bitter end—a war of aggression—a war to overwhelm, with its mad spirit, every vestige of reason, religion and friendship—which drew into its vortex those more conservative States which had halted between two opinions. It was a war, not unexpected by the Federal Administration, and one which the President could not avert if he proved true to the trust reposed in him. Of that trust the Executive had a calm, clear comprehension; and, though shrinking with loathing from the conflict, he still was resolved to incur its horrors rather than witness the humiliation of his country before those bent upon its destruction. His entire course during the trying days of March and April was

The President's Resolve.



characterized by a wisdom and devotion to country which did not fail to give him the confidence and respect of all classes in the loyal States to an extraordinary degree. When the hour came for the tocsin to sound, he found party affinities obliterated, prejudices forgotten, animosities buried; all true men seemed ready for, and confident in, his leadership.

The Federal Policy as  
Announced to Eng-  
land and France.

The course to be pursued had been enunciated in the Inaugural Message. It was repeated in the proclamation of April 15th, and further indicated in all instructions issued by Mr. Seward to our foreign ministers. In his communication (November 2d) to Mr. Adams, dated April 10th, the Secretary of State entered into a somewhat elaborate exposition of the causes and nature of the revolution. In his clearly enunciated instructions to the minister, he said, among other things:

"You will make no admissions of weakness in our Constitution, or any apprehensions on the part of the Government. You will rather prove, as you easily can, by comparing the history of our country with that of other states, that its Constitution and Government are really the strongest and surest which have ever been erected for the safety of any people. You will in no case listen to any suggestions of compromise by this Government, under foreign auspices, with its discontented citizens. If, as the President does not at all apprehend, you shall unhappily find her Majesty's Government tolerating the application of the so-called seceding States, or wavering about it, you will not leave them to suppose for a moment that they can grant that application and remain the friends of the United States. You may even assure them promptly, in that case, that, if they determine to recognize, they may, at the same time, prepare to enter into alliance with the enemies of this Republic."

In note, (No. 10,) May 21st, the Secretary advises Mr. Adams of our rights to blockade in these terms:

"As to the blockade, you will say that by our own laws and the laws of nature, and the laws of nations, this Government has a clear right to suppress insurrection. An exclusion of commerce from national ports which have been seized by insurgents, in the equitable form of blockade, is a proper means to that end. You will not insist that our blockade is to be respected, if it be not maintained by a competent force; but passing by that question as not

now a practical or at least an urgent one, you will add that the blockade is now, and it will continue to be, so maintained, and therefore we expect it to be respected by Great Britain. You will add that we have already revoked the exequatur of the Russian consul who had enlisted in the military service of the insurgents, and we shall dismiss or demand the recall of every foreign agent, consular or diplomatic, who shall either disobey the Federal laws or disown the Federal authority."

The Federal Policy as  
Announced to Eng-  
land and France.

In the same note he also throws the full responsibility of war upon Great Britain if it shall recognize the Southern Confederacy as a *de facto* Government. He said:

"We are not insensible of the grave importance of this occasion. We see how, upon the result of the debate in which we are engaged, a war may ensue between the United States and one, two, or even more European nations. War in any case is as exceptional from the habits as it is revolting from the sentiments of the American people. But if it come it will be fully seen that it results from the action of Great Britain, not our own; that Great Britain will have decided to fraternize with our domestic enemy either without waiting to hear from you our remonstrances and our warnings, or after having heard them. War in defense of national life is not immoral, and war in defense of independence is an inevitable part of the discipline of nations."

This position was sustained in every communication to Mr. Adams, relating to the rights and powers of the United States.

In the instructions to Mr. Dayton, Minister to France, we have even more decided expressions. He said:

"The President neither expects nor desires any intervention, or even any favor, from the Government of France, or any other, in this emergency. Whatever else he may consent to do, he will never invoke nor even admit foreign interference or influence in this or any other controversy in which the Government of the United States may be engaged with any portion of the American people. It has been simply his aim to show that the present controversy furnishes no one ground on which a great and friendly power, like France, can justly lend aid or sympathy to the party engaged in insurrection, and therefore he instructs you to insist on the practice of neutrality by the Government of the Emperor, as all our representatives are instructed to insist on the neutrality of the several powers to which they are accredited."

"Foreign intervention would oblige us to treat those who should yield it as allies of the insurrec-



The Federal Policy as Announced to England and France. tionary party, and to carry on the war against them as enemies. The case would not be

relieved, but, on the contrary, would only be aggravated, if several European states should combine in that intervention. The President and the people of the United States deem the Union, which would then be at stake, worth all the cost and all the sacrifice of a contest with the world in arms, if such a contest should prove inevitable."

The note (No. 7) of May 4th embodies the views of the Administration, evolved and matured by the extraordinary precipitancy and decision of those in revolt. We quote the Secretary's words, as declaring the President's line of procedure as well as his policy toward the revolutionists:

"In the unofficial conversation, Mr. Faulkner says that he himself expressed the opinion that force would not be resorted to to coerce the so-called seceding States into submission to the Federal authority, and that the only solution of the difficulty would be found in such modifications of the constitutional compact as would invite the seceding States back into the Union, or a peaceable acquiescence in the assertion of their claim to a separate sovereignty.

"The time when these questions had any pertinency or plausibility has passed away. The United States waited patiently while their authority was defied in turbulent assemblies, and in seditious preparations, willing to hope that mediation, offered on all sides, would conciliate and induce the disaffected parties to return to a better mind.

"But the case is now altogether changed. The insurgents have instituted revolution with open, flagrant, deadly war to compel the United States to acquiesce in the dismemberment of the Union. The United States have accepted this civil war as an inevitable necessity. The constitutional remedies for all the complaints of the insurgents are still open to them, and will remain so. But, on the other hand, the land and naval forces of the Union have been put into activity to restore the Federal authority and to save the Union from danger.

"You cannot be too decided or too explicit in making known to the French Government that there is not now, nor has there been, nor will there be any the least idea existing in this Government of suffering a dissolution of this Union to take place in any way whatever.

"There will be here only one nation and one Government, and there will be the same Republic, and the same constitutional Union that have already survived a dozen national changes, and changes of

Government in almost every other country. These will stand hereafter, as they are now, objects of human wonder and human affection.

"You have seen, on the eve of your departure, the elasticity of the National spirit, the vigor of the National Government, and the lavish devotion of the National treasures to this great cause. Tell Mr. Thouvenel, then, with the highest consideration and good feeling, that the thought of a dissolution of this Union, peaceably or by force, has never entered into the mind of any candid statesman here, and it is high time that it be dismissed by statesmen in Europe."

If the President proposed, up to April 30th,\* only the "defense of the Capital," his policy was so far modified, after that date, that "defense" implied the exercise of all the powers of the Government, offensive as well as defensive, to suppress the insurrection. By May 1st it became apparent that insurrection had developed into a war of conquest—that Maryland, Tennessee, Kentucky and Missouri were to be invaded to secure their advent into the Southern Confederacy. Then Mr. Seward was constrained to write: "The time when these questions (of peace and compromise) had any pertinency or plausibility has passed away." There followed (May 3d) the second requisition for troops, [see page 141,] and a campaign was developed upon a scale commensurate with the full employment of the vast force. The "suppression of the insurrection" was then understood to imply a full trial of force with the insurrectionists.

This state of war presented several vital questions for action and decision. Among them were:

Vital Questions.

1st. The President's power to call out troops without the express intervention of Congress.

2d. The right to coerce and invade the States.

3d. The right to suspend the *Habeas Corpus Act*.

4th. The right to arrest and incarcerate "suspected" citizens.

5th. The right to suppress the liberty of the press.

6th. The right to confiscate or release Slaves.

\* See page 111, foot-note.



Provisions and Non-Provisions of the Constitution.

The framers of the Constitution never contemplated a state of civil war; therefore they did not legislate for it. They assumed the supremacy of Federal authority in all National relations, defining the powers of the General Government and of the States, and stipulating for the exercise, without conflict of jurisdiction and authority, of the functions of each. The whole tone, tenor and letter of the Constitution express the one central principle of *consolidation*; and, by no word or implication is the State regarded as independent of, or superior to, the Federal Government. Provision was not made for conditions and contingencies not considered as likely to arise; hence, in more than one case, during the progress of the country, has the Executive, or the Supreme Court, been called to meet issues created by circumstances which the Constitution did not explicitly cover. The accession of the Louisiana Territory was regarded by Jefferson as actually unconstitutional; but, the interests of the country so clearly demanded the purchase that it was made during his administration. Washington, in calling out troops to suppress the Whisky insurrection, exceeded his authority and relied upon Congress to justify his acts. Numerous instances could be cited wherein the Executive, and even Congress, pursued a course of action either extra-judicial or in contravention of recognized opinions and precedents. A forcible illustration was had in President Jackson's celebrated declaration: "Then *I* will assume the responsibility"—when his constitutional advisers all questioned the propriety of his proposed procedure against the malcontents in South Carolina. The strong-nerved man, it is now stated, had resolved upon the arrest of John C. Calhoun for high treason, and would have hung him, (as conviction must have followed the arrest,) had not Webster, Clay and others personally begged a suppression of the process to await further legislation and development of the Nullification rebellion.\*

\* Calhoun was elected Vice-President of the United States on the Jackson ticket, but resigned in order to take his place in the Senate as a floor member—thus to labor for disunion the more effectually. As Vice-President he would not have dared to commit

Jackson enunciated this opinion of his right of construction of the Constitution, even *against* the dictum of the Supreme Court or of Congress:

Jackson's Assumption.

"Congress, the Executive and the Court must, *each for itself*, be guided by *its own* opinion of the Constitution. Each public officer who takes an oath to support the Constitution, swears that he will support it *as he* understands it, and *not* as it is understood *by others*. It is as much the duty of the House of Representatives, of the Senate and of the President, to decide upon the constitutionality of any bill or resolution which may be presented to them for passage or approval, as it is of the Supreme Judges when it may be brought before them for judicial decision."

Reverdy Johnson, commenting on this doctrine, said its correctness had never been questioned—that, to hold otherwise, would be to attach superiority of one over the other co-ordinate authorities in the Government—that the President, if he abandoned the right of personal judgment and suffered himself to be governed by the judgment of any co-ordinate authority, would be false to his duty and would do anything but fulfill his "constitutional obligation" to "take care that the laws be faithfully executed."

Without entering upon the argument of the constitutional powers of the Executive, we are called upon, in an exposition of the policy of the Federal Executive, to advert to his grounds of justification for acts deemed unconstitutional, or extra-constitutional, and therefore arbitrary.

John Merryman, a leading secessionist of Baltimore, was arrested, together with a number of others, including, eventually, the Chief of Police and the Police Commissioners. These persons were confined in Fort McHenry, under the military surveillance of General Cadwalader. The process of relief by a writ

the treasonable acts which he seriously contemplated. Jackson's anger that his own coadjutor should have proven false to the Union doubtless had much to do in impelling him to extreme measures against Calhoun. Those scrupulous politicians who beheld a great wrong in the nomination and election of two Northern men to the offices of President and Vice-President, in 1860, forgot to recur to the cases of Jackson and Calhoun, in 1832, when two Southern men of *extreme* Southern views were chosen.



Suspension of the Privileges of the *Habeas Corpus* Act.

of *habeas corpus* was resorted to by the friends of the prisoners; and, that the issue thus created might bring the military authority before the highest civil tribunal,\* Chief-Justice Taney, of the United States Supreme Court, was called upon to issue the writ. The writ was issued May 25th, returnable at noon, May 27th, in the United States District Court of Baltimore, Judge Taney on the bench. At the hour named Colonel Lee appeared in behalf of General Cadwalader, and stated that Merryman was charged with treason, and that, in his case, by authority of the President, the privilege of the writ was suspended. The General asked that the Court would, however, postpone action until further instructions were received. The Judge immediately ordered the arrest of the General for disobedience to the high writ of the Court. The attachment was made returnable the next day, at noon. When that hour arrived an immense concourse was present to hear the Marshal make return that, on proceeding to the Fort, he was refused admittance by armed sentinels, and therefore could not serve the writ of arrest upon General Cadwalader. The Chief Justice thereupon read a statement as follows:

Judge Taney's Opinion.

"I ordered the attachment yesterday because upon the face of the return the detention of the prisoner was unlawful, upon two grounds:

"*First*: The President, under the Constitution and laws of the United States, cannot suspend the privilege of the writ of *habeas corpus*, nor authorize any military officer to do so.

"*Second*: A military officer has no right to arrest and detain a person, nor subject him to the rules and articles of war for an offense against the laws of the United States, except in aid of the ju-

dicial authority and subject to its control; and if the party is arrested by the military, it is

Judge Taney's Opinion.

the duty of the officer to deliver him over immediately to the civil authority, to be dealt with according to law.

"I forebore yesterday to state orally the provisions of the Constitution of the United States, which make these principles the fundamental law of the Union, because an oral statement might be misunderstood in some portions of it. I shall, therefore, put my opinion in writing and file it in the office of the Clerk of the Circuit Court, in the course of this week."

The Judge further added that the military authority was always subordinate to the civil. That, under ordinary circumstances, it would be the duty of the Marshal to proceed with a *posse comitatus*, and bring the party named in the writ into Court; but, from the notoriously superior force that he would encounter, this would be impossible. He said the Marshal had done all in his power to discharge his duty—that, during the week, he should prepare his opinion in the premises, and forward it to the President, calling upon him to perform his constitutional duty, and see that the laws be faithfully executed and enforce the decrees of this Court.

This opinion we give at length in the Appendix, together with the counter-opinion of the U. S. Attorney-General upon which, it is presumable, the President places his chief reliance for legal defense, for the arrest and imprisonment of those "suspected" persons whom the Government, by orders from the War or State Departments, placed in close confinement in the forts of Baltimore, Boston and New York. We should add, however, that the loyal sentiment of the country condemned the direct issue created by the Chief-Justice, while the disloyal and "conservative" approved. Whether or not Mr. Lincoln acted within the province of the Constitution,\* in

\* Judge Giles, of Baltimore, May 14th, had issued a writ of *habeas corpus* for the delivery of a soldier confined in Fort McHenry. Major Morris, then in command of the Fort, refused to obey the mandate of the Court, citing the dangerous nature of the writ in releasing prisoners of State as his excuse for non-compliance. To create a direct and open issue between the General Government and the Supreme Court, was the purpose of the Secessionists in calling Judge Taney's powers into requisition.

\* It is somewhat singular that Judge Taney, in uttering his elaborate opinion against the right of military arrests, should have forgotten his previous record, and thus have laid himself liable to charges of inconsistency. In delivering the opinion of the Supreme Court of the United States, January Term, 1849, in the case of *Luther agt. Borden et al.* (7 Howard's Sup. Ct. Rep., 43), on writ of error from the Circuit Court for the Rhode Island District, in a



Judge Taney's  
Opinion.

the arrests, the people decided that he had acted for the good of the country, in circumstances of danger which only extreme measures could avert. And this, we think, will be his surest defense. Throwing aside the *ifs* and *wherefores* of legal tomes, the people—who are at once their own lawgivers and judges, by virtue of their Constitution—strike direct at the *heart* of wrongs; as they delibe-

case of trespass q. c. by Martin Luther, a citizen of Massachusetts, against the defendants, citizens of Rhode Island, for breaking and entering the house of Luther on the 29th June, 1842, Mr. Chief-Justice Taney said :

"This case had arisen out of the '*unfortunate political differences*' which agitated the people of Rhode Island in 1841 and 1842. It is an action of trespass by the plaintiff in error against defendants for breaking and entering plaintiff's house. The defendants justify upon the ground that *large numbers of men were assembled* in different parts of the State, for the purpose of overthrowing the Government by military force, and were *actually laying war* upon the State; that in order to defend itself from this insurrection, the State was declared by competent authority under martial law; that plaintiff was *engaged in the insurrection*; and that the defendants, *being in the military service* of the State, by command of their superior officer, *broke and entered the house*, and *searched the rooms for the plaintiff*, who was supposed to be there concealed, *in order to arrest him*, doing as little damage as possible.

\* \* \* "Unquestionably a State may use its military power to put down an armed insurrection too strong to be controlled by the civil authority. The power is essential to the existence of every Government, essential to the preservation of order and free institutions, and is as necessary to the States of this Union as to any other Government. The State itself must determine what degree of force the crisis demands. And if the Government of Rhode Island deemed the armed opposition so formidable, and so ramified throughout the State, as to require the use of its military force and the declaration of martial law, we see no ground upon which this Court can question its authority. It was a state of war; and the established Government resorted to the rights and usages of war to maintain itself, and to overcome the unlawful opposition. And in that state of things the officers engaged in its military service might lawfully arrest any one who, *from the information before them, they had reasonable grounds to believe was engaged in the insurrection*; and might order a house to be forcibly entered and searched, *when there were reasonable grounds for supposing he might be there concealed*. Without the power to do this, martial law and the military array of the Government would be mere parade, and rather encourage attack than repel it. No more force, however, can be used, than is necessary to accomplish the object. And if the power is exercised for the purposes of oppression, or any injury willfully done to persons or property, the party by whom, or by whose order it is committed, would undoubtedly be answerable," &c.

The President might simply appeal to this decision for his justification. Those desiring to canvass the whole question should refer to this case.

ately justify or condemn, Courts and Congress must do likewise as the constituted organs of the people. Before the people acting in unity and expressing a general sentiment, even Courts and Congress must give way; and if, in the Constitution, there clearly existed the right of a State to secede, it is questionable if the exercise of that right would not have been forbidden by the popular will of the majority, whose pride of country and patriotism would not consent to a division of the Union. Had the right of secession been conceded by Congress, it must have been overruled by the people. In both cases the ballot-box would have been the umpire, and the "American idea" would have found votes as powerful as bayonets in deciding upon unity and the rights of the majority. It was this "tyranny" against which the South protested; and the President, as the embodiment of the popular will of the North, received the anathemas of all who acted with or had sympathy for the secession movement.

The questions involved in and covered by the matters already submitted,

The Assumed Right  
of Coercion.

meet several of the propositions mentioned on the previous page. The right of coercion was measurably involved in the right to call out troops to suppress an insurrection, which was covered by the Acts of 1795 and 1807. In the opinion of Attorney-General Black [cited on pages 66-69 of Vol. I,] the position taken was, that the military was subordinate to the civil process, and could only be called into requisition to aid the courts in enforcing the laws. It confessed, however, that, in case the civil power itself should refuse to cooperate to execute the laws, Congress must then take such steps as were necessary and proper. It may be assumed that, what has already been said of the popular right to meet great perils by original processes, also applies here. If the President did not find direct or implied authority in the Constitution, or in the Acts of 1795 and 1807, for calling out troops to suppress the rebellion, the people came to his justification. The endorsement and confirmation Congress gave (by the Act of July, 1861) to each and all the steps taken by the President, to meet the



dangers surrounding the country, were simply in response to the popular will.

The Question of the  
Slaves.

Regarding the condition which the Slave population was to sustain in the con-

test much and very diverse counsels prevailed. That the "peculiar institution" was vitally involved was admitted, even by the most conservative of loyal men, from the first stages of the conflict; that it was fatally involved was conceded by that class not until it became apparent that all efforts to sustain it impaired the Federal cause by strengthening the hands of those hostile to it. The desire to propitiate the Border States, by taking no action which would injure their interests and investments in Slave property, induced the Executive and the several military chiefs, to pursue a course lacking in consistency and uniformity. Future writers may be able to sit in judgment on the early policy—or, rather, the want of it—in regard to the Slaves; but, at this moment, when the conflict of opinion and feeling is still being waged upon the rights and wrongs of the several schemes acted upon, it will be impossible to draw the lines of judgment with certainty.

The question presented itself in this shape: as the Federal Government did not admit the right of secession, it therefore considered the Union unbroken. The Federal laws were to be enforced, by force if necessary, in all sections of the Union. One of these laws was the Fugitive Slave Act, by which every runaway Slave must be returned, upon demand, to his owner. Thus rebels, still being considered citizens of the Union, could demand back their Slaves should they escape to the Federal camps, or to the loyal States. And again: the non-recognition of the right of secession implied the recognition of the status of the States. Their laws (local) were, hence, to be respected, so long as they were not in contravention of the Constitution. By these laws Slaves were restricted in rights and privileges—were liable to arrest for running away—were subject to flogging and sale; and, being a local institution, Congress, under the Constitution, had no right to interfere or to nullify.

It was the enigma of the Sphinx which no Œdipus could be found to solve, and therefore the Sphinx lived on.

It fell to the lot of General Butler first to deal with "the inevitable negro" dilemma. He was, of all men, the proper person to administer upon the case, being, not only a sound lawyer, but also a Democrat of the distinctively pro-Slavery school. He was the Breckenridge candidate in 1860, for the Executive chair of Massachusetts. He had, for years, been noted as the enemy of runaway negroes and the friend of their masters. Hence, it was well to thrust upon him the responsibility of setting a precedent which might serve as such to other commanders whose camps must become infested with negroes escaping from anxious masters.

Colonel Mallory, living on the York Peninsula, under a flag of truce, claimed

Butler's "Contraband" Decision.

three fugitive slaves (May 25th) who had sought refuge within the Federal lines to escape being sold "to go South." The Colonel had met the General in several Conventions, had supped and drank with him; and, doubtless, presumed that he had but to ask and receive the "black rascals." Butler heard the rebel demand with the formality of a commander. "You hold," said the General, "that negroes are *property*." "I do," said Mallory. "You also hold that Virginia is no longer a part of the United States?" "I do." "Now," said Butler, "you are a lawyer, Colonel Mallory, and I want to know if you claim that the Fugitive Slave act of the United States is binding in a foreign nation; and if a foreign nation uses this kind of property to destroy the lives and property of citizens of the United States, if that species of property ought not to be regarded as contraband?" The Colonel retired without the negroes; and the country rejoiced over the construction that a negro was "contraband of war" when the slave of a rebel master.

What baseness as well as impudence must be charged upon those who, trampling the laws of the country under foot, still claimed the immunities and benefits of those laws!



## CHAPTER XVII.

### THE ATTITUDE OF FOREIGN POWERS TOWARD THE UNITED STATES. BRITISH "NEUTRALITY" AND ENGLAND'S BASENESS. THE CANDID AVOWALS OF FRANCE.

Solicitude of the  
North.

No slight solicitude was felt, in the North, for the cause of the Union abroad.

The whole tenor of Mr. Seward's instructions to the newly appointed foreign Ministers to the leading courts of Europe, shows how keenly the Department of State appreciated the importance of our foreign relations; and the correspondence already quoted, [on pages 186-87,] betrays with what decision the Secretary met the apprehended danger of a recognition of the Southern Confederacy by European powers. He clearly enunciated the proposition, that, to be thus friendly to the insurgents, was to incur the responsibility of resentment on our part; still, his advice to our agents abroad all tended to avert the calamity of any unfriendly issue with other powers. It will be seen by reference to the files of foreign affairs documents, for 1861, that the Secretary fully tasked his great ability as a lawyer, in order to lay before each Government arguments against its recognition of the Seceded States. For England, for Spain, for France, for the Netherlands, for Russia, he had special pleas, which reflect honorably on the Secretary's sagacity, and his patriotism.

To France and England, the attention of the loyal States was chiefly directed, for of them alone was danger apprehended. Their jealousy of the greatness and rapidly enhancing power of this country—their hopes of seeing that power broken by a divided Union—their dependence on the slave product—the inimical spirit betrayed against the tariff upon their goods and stuffs to sustain the Federal Government, which tended to strengthen the hands of their greatest competitors, the Northern manufacturers—all

conspired to render them intensely interested observers, and so powerfully ap-

pealed to their selfishness as to render them, at first, secretly, but at a later day, openly, solicitous for the cause of the South. This solicitude was enhanced by the presence in Europe—and particularly in Great Britain and France—of "agents" of the Southern Confederacy, whose mission was to secure the desired recognition. Comprised of some of the ablest, as well as least scrupulous, men of the South, these agents were empowered to use extraordinary means to secure their ends—even to granting exclusive trade with, and free entry to their ports—thus using a powerful motor to move the moneyed classes of the two Governments—to influence the cupidity of the English and the pride of the French.

To counteract the machinations of these men was, as Mr. Seward wrote, the first and chief object of the ministers—so much importance did he attach to the non-recognition of the Southern Confederacy. His agents did not labor in vain, strengthened as they were by the co-operation of eminent American citizens abroad, and, eventually, by persons especially dispatched as diplomatic visitors to the several Courts.\*

The attitude of the British Government became anomalous and perplexing. The Proclamation of the Queen "to enforce a strict neutrality," [see Appendix pages 474-76, for this document at length,] at once gave the Southern States in rebellion the position of

\* Archbishop Hughes was understood to have been endowed with a semi-official mission; as also were Mr. August Belmont and Mr. Thurlow Weed. General Scott's brief visit to France was not, as has been stated, of a diplomatic nature.



Attitude of Great  
Britain.

*belligerents*, and recognized them as co-equals, in this respect, with the Federal

Government—thus at once lifting them from the position of insurgents to that of a recognized power. The document, it will be perceived upon consultation, did this in a manner calculated to inspire distrust of British good faith, since it made it a misdemeanor for British subjects to enlist in, or in any way to aid and abet, the cause of either party. As the Government of Great Britain, by *treaty* stipulation with the *United States*, forbade its subjects to engage in any conspiracy against this Government, the Southern Confederates were, of course, debarred, by that treaty, the prospect of open sympathy. The haste also to debar the United States that aid, though it was not wanted nor solicited, argued the abrogation of the spirit of that treaty stipulation by giving to conspirators against the Union the same *status* granted to those struggling for the nation's life. Nor was this the worst feature of the document whose "neutrality" admitted Davis' letters of marque to a belligerent's rights: in declaring the privateers to be pirates, President Lincoln by its construction, violated the laws of nations and would be held responsible at the bar of Nations.

Still further: it gave the insurrectionists a party and made them a power in Great Britain; and, from the date of its promulgation, there arose a powerful influence for the direct recognition of the Southern Confederacy. The interests of Cotton factors and manufacturers represented many millions of property and several hundred thousand operatives—all of which were paralyzed and brought to the door of ruin by the blockade. These interests ere long became almost a unit for recognition. Then the Iron interest, finding their usual trans-Atlantic market cut off by the operation of the Morrill tariff, and by the existing state of war, became willing converts to the Southern party. Lastly came the influence of the aristocracy as represented by Lord Brougham, who, viewing in the United States England's most powerful competitor in the race for supremacy, looked upon a dissolution of the Union, and the formation of two rival confederacies, as a

blessing for whose consummation England should devoutly pray. In all this the

old dislike of Slavery found little utterance. The principle of anti-Slavery was not so active as the cupidity of capital, nor so subtly potent as the spirit which animated those who hoped for the humiliation of the Great Republic. The Exeter Hall philanthropists became a shadow, while the Leeds, Manchester and Tory coalition became a real presence.\* The few brave and honest souls who, like John Bright, stood forth to vindicate the cause of the North from principle, were powerless before the men of policy and the secret enemies of republican institutions.

The history of English Governmental polity and of the English press, after March, 1861, and during 1862, if written by one familiar with the undercurrents of money and ambition, would, if honestly written, form a curious and most interesting chapter. A people allied to the Northern States of America

\* Professor Cairnes, in his volume on "The Attempt to Explain the Real Issue involved in the American Contest," said: "The Northern people, conscious that it had risen above the level of ordinary motives, looked abroad for sympathy, and especially looked to England. It was answered with cold criticism and derision. The response was perhaps natural under the circumstances, but undoubtedly not more so than the bitter mortification and resentment which that response evoked." The learned and clear-minded professor of jurisprudence forgot to give due weight to the motives we have above ascribed, as having been *most* powerful in influencing English "opinion" and directing English conduct. The response to our claim for at least the sympathy of a professedly anti-Slavery people in our war with the Slave power was *not* "natural;" it was unnatural, under the circumstances. The future will not fail to characterize England's conduct towards the North as anomalous to a surprising degree.

† We say *people*—looking at the results instead of the details—viewing the sum of opinions and actions; but, as heretofore stated, [see Vol. I, page 495.] we are convinced that the Queen of England and that class who really form the base of the best class of her subjects, were truly desirous of the success of the Union cause. In Prince Albert America lost a good friend—one whose sagacity and firmness as Queen's counsellor quite compensated for the trickery of her Ministers of State.

Attitude of Great  
Britain.



Attitude of Great  
Britain.

by consanguinity, by treaty, by social ties, by commerce, by affinity of tastes and labor, by anti-Slavery and religious sympathy, to enter at once\* and suddenly upon a crusade of disparaging criticism, of fault-finding, of invective, of misrepresentation, and, finally, of downright falsification—all to palliate the openly expressed sympathy at length bestowed upon the cause of Slavery and to prepare the way for the recognition of the Pro-Slavery Confederacy, certainly presents a spectacle calculated to inspire a want of confidence in human nature. Yet England (we purposely omit Ireland and Scotland, for the Irish and Scotch people were steadfast in their hopes for the cause of the North) presented that anomaly; and future writers on the philosophy of history will find in her case significant data for new speculations in politics and morals. The greatest of her intellects has been characterized as "the wisest and the meanest of mankind;" it is now to be proven that the aphorism should not attach to her living controlling classes instead of to a dead man.

The Position of  
France.

The position of France, from the earliest moment of our difficulties, gave the Federal Government less concern than the suspicious trimming and bracing of their British ally. Judge Black, Secretary of State in Mr. Buchanan's cabinet, had addressed a Circular (February 28th, 1861) to all minis-

\* The press of England, with only one or two exceptions, was adverse to the principles and cause of the Secessionists, up to March, [see pages 492-95, Vol. I.] From the date of the establishment of the blockade, when English commerce and manufactures first began to experience the effects of the war, the change of opinion commenced; until, by March, 1862, those journals which supported the cause of the North were the exception! These honorable exceptions included the *Daily News*, the *Morning Star*, the *Spectator*, &c. Among those most vicious in their defamation of the North were the *Times*, *Herald*, *Review* and *Economist*—all organs of the aristocracy or of trade interests. The *Times* became exceedingly virulent and defamatory; but, its animosity seemed directed less toward the North than toward the United States as a power, which it sincerely desired to see humiliated and reduced to a subordinate position in the family of nations.

ters of the United States to European courts, in which the following language was used:

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France.

"The reasons set forth in the President's Message at the opening of the present session of Congress in support of his opinion that the States have no constitutional power to secede from the Union, are still unanswered, and are believed to be unanswerable. The grounds upon which they have attempted to justify the revolutionary act of severing the bonds which connect them with their sister States are regarded as wholly insufficient. This Government has not relinquished its jurisdiction within the Territory of those States, and does not desire to do so.

"It must be very evident that it is the right of this Government to ask of all foreign powers that the latter shall take no steps which may tend to encourage the revolutionary movement of the Seceding States, or increase the danger of disaffection in those which still remain loyal. The President feels assured that the Government of the Emperor will not do anything in these affairs inconsistent with the friendship which this Government has always heretofore experienced from him and his ancestors. If the independence of the 'Confederated States' should be acknowledged by the great powers of Europe, it would tend to disturb the friendly relations, diplomatic and commercial, now existing between those powers and the United States."

These instructions Mr. Faulkner immediately laid before the French Emperor through his Foreign Minister, M. Thouvenel, and afterwards repeated them in person to Louis Napoleon. Writing to Mr. Black, under date of March 19th, the American Minister said:

"I have no hesitation in expressing it as my opinion, founded upon frequent general interviews with the Emperor, although in no instance touching this particular point, that France will act upon this delicate question when it shall be presented to her consideration in the spirit of a most friendly power, that she will be the last of the great States of Europe to give a hasty encouragement to the dismemberment of the Union, or to afford to the Government of the United States, in the contingency to which you refer, any just cause of complaint. The unhappy divisions which have afflicted our country have attracted the Emperor's earnest attention since the first of January last, and he has never, but upon

\* Not having then been officially informed of Mr. Black's retirement from office, the Minister of course still addressed his letters to him as Secretary of State.



The Position of  
France.

one occasion of our meeting since, failed to make them the subject of friendly inquiry, and

often of comment. He looks upon the dismemberment of the American Confederacy with no pleasure, but as a calamity to be deplored by every enlightened friend of human progress. And he would act, not only in conflict with sentiments often expressed, but in opposition to the well-understood feelings of the French people, if he should precipitately adopt any step whatever tending to give force and efficacy to those movements of separation, so long as a reasonable hope remains that the Federal authority can or should be maintained over the seceding States.

"The Emperor Napoleon has no selfish purpose to accomplish by the dismemberment of the American Union. As he has upon more than one occasion said to me: 'There are no points of collision between France and the United States; their interests are harmonious, and they point to one policy, the closest friendship and the freest commercial intercourse.' He knows full well that the greatness of our Republic cannot endanger the stability of his throne, or cast a shadow over the glory of France. He would rather see us united and powerful than dismembered and weak. He is too enlightened to misapprehend the spirit of conciliation which now actuates the conduct of the Federal authorities. He knows that appeals to the public judgment perform that function in our Republic which is elsewhere only accomplished by brute force. And if armies have not been marshaled, as they would have been ere this in Europe, to give effect to the Federal authority, he is aware that it is not because the General Government disclaims authority over the seceding States, or is destitute of the means and resources of war, but from an enlightened conviction on its part that time and reflection will be more efficacious than arms in re-establishing the Federal authority, and restoring that sentiment of loyalty to the Union which was once the pride of every American heart.

"I have not, so far, heard that any commissioners have been sent by the seceding States to France. Should they, as you anticipate, arrive shortly, I think I am not mistaken in saying that they will find that the Imperial Government is not yet prepared to look favorably upon the object of their mission."

In answer to Mr. Seward's first Circular (March 9th) to our Ministers abroad, inclosing copies of the President's Inaugural Message, and recurring to the policy which would govern the new Administration, Mr. Faulkner, under date of April 15th, 1861, stated the substance of his interview with the French Minister—among other things saying:

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France.

"M. Thouvenel, in reply, said that no application had yet been made to him by the Confede-

rated States, in any form, for the recognition of their independence; that the French Government was not in the habit of acting hastily upon such questions, as might be seen by its tardiness in recognizing the new kingdom of Italy; that he believed the maintenance of the Federal Union, in its integrity, was to be desired for the benefit of the people North and South, as well as for the interests of France, and the Government of the United States might rest well assured that no hasty or precipitate action would be taken on that subject by the Emperor. But whilst he gave utterance to these views, he was equally bound to say that the practice and usage of the present century had fully established the right of *de facto* Governments to recognition when a proper case was made out for the decision of foreign powers."

Mr. Seward's instructions to Mr. Dayton, already referred to, [see pages 186-87,] will inform the reader of the decision expressed, at the start, by Mr. Lincoln's administration, regarding foreign recognition of the Confederate States and of interference with American affairs by foreign Governments. Mr. Dayton held a long audience with M. Thouvenel, May 16th, which resulted in a thorough canvassing of the entire question of relations between the two Governments. The French Minister demanded the right of the Southern States to be treated as belligerents, "applying," as Mr. Dayton said, "the same doctrine to them as always had been upheld by the United States." The blockade would be respected. To fit out letters-of-marque in French ports, or even to shelter them except in stress, was forbidden by the Imperial Government; nor would it allow the bringing in, or sale of, prizes at French ports. An interview was held with the Emperor on the 19th of May, on which occasion Louis Napoleon repeated his kindly expressions toward the United States Government, and also added that he had been, and still was, ready to offer his services to the contending parties, if such offer would be mutually agreeable, &c. The interview with the Empress also was well calculated to reassure the American Minister of the disposition of the French Government to act openly and candidly in its dealings with the Federal Government.

This reassurance was welcome because our



Government felt that French promises would be respected; and, when M. Thouvenel stated his purpose to allow the Confederate Commissioners no official *status*, nor to grant the use of French ports to Southern privateers, it was regarded at Washington as satisfactory. The recognition, in conjunction with the British Government, of the belligerent rights of the Southern States, was grounded upon what was by France considered a settled provision of the laws of nations, and was not regarded by M. Thouvenel as a source of aid or comfort to the enemy, with the restrictions of neutrality rigidly enforced, and with the denial of ports of entry or harbor to Southern privateers, strictly carried out.

Want of Confidence in  
British Good Faith.

Our confidence in English good faith was wanting from the first, and with good reason—her neutrality was the merest mockery. Hardly had the blockade been established ere English fast-sailing vessels and steamers sought to break it. An English island near our coast (New Providence) became an open and recognized rendezvous for this illegal commerce. Thither English vessels, with no attempt at concealment, transported cargoes of arms, munitions, clothing and goods—everything needed by the Confederates to conduct their war with vigor. From Nassau harbor the vessels would dash into any Southern port from which the blockading squadron might be temporarily absent, or which it had not yet been able to close. Thus the Confederates received, during the summer and fall months of 1861, immense supplies of those things most useful and needful in aiding the insurgents. What an impudent mockery was that “neutrality!” The infamous character of the proceeding was not heightened when English guns covered and protected the privateers *Sumter* and *Nashville*

while they lay, for weeks, in English harbors. No act of the English Government could exceed the baseness and bad faith of allowing its commerce, through many months, to supply our enemies with all the necessities of an effective resistance. Had the American Government connived at a full supply of arms to the Sepoys, to assist them in murdering their British rulers, the act would have been less reprehensible, because the Sepoys had been *robbed* of their heritage—their country—their all, by British arms, and their stroke was for freedom from British chains.

Want of Confidence in  
British Good Faith.

Whatever reputation may attach to the French Emperor for ambitious designs, America has less to charge to his sins than to the duplicity of British Ministers and the malignity of the leading British press. French honor and integrity were unquestioned by the Federal Government; British honor and integrity not only were questioned but were the subject of scorn by our people if not by our Government. Whatever may come forth, in the future, to qualify and direct the relations between the United States and the two powers named, one thing is assured: not for two generations, in this country, will there exist for Great Britain anything more than a formal friendship. There rankles in the heart of the Northern people a dislike which bodes no good to the future relations of the two great Anglo-Saxon powers. We chronicle the existence of this feeling as a fact from which great events may spring—not that it is a just resentment for indignities received. Public like private resentments should be tempered with charity; and, though we may deplore the animosity toward the English Government which unquestionably exists among us, we are not blind enough to believe it portends a future of peace.



## CHAPTER XVIII.

### OCCUPATION OF YORK PENINSULA. THE NEWPORT NEWS ENCAMPMENT. THE BIG BETHEL DISASTER.

Disposition of Forces. MAJOR-General Butler and staff arrived at Fortress Monroe Wednesday afternoon, May 22d. His promotion to leading rank in the regular service, with orders to assume command at the Fortress, indicated extensive operations at and from that point. The enemy, anticipating this, had occupied the best positions commanding the avenues of communication with their Capital and with the South. Yorktown and Gloucester Point were provided with earthworks and guns of an imposing nature. Colonel Magruder—late Colonel in the U. S. service, and an officer of much distinction as an obstinate combatant—was placed in command (rebel) of the Peninsula. Norfolk Bay and Peninsula were strongly fortified by batteries at several points, and a large number of troops were centered there under command of General Huger—also late of the U. S. service. At Willoughby Point, Sewall's Point, Craney Island and Pig Point, imposing earthworks were thrown up. The Gosport Navy Yard was drawn upon for artillery and munitions to mount and supply all of these defenses. Confederate troops to the number of about twelve thousand were gathered in Norfolk and vicinity, by June 1st. They hastened forward rapidly, after the attack on the Sewell's Point Battery by the U. S. gunboat *Star*, on the 19th of May. When Butler entered upon the "campaign of the Peninsula," he found his surroundings fairly bristling with ordnance which bad management of Federal agents had placed in the enemy's hands. [See page 114.]

Simultaneously with the advance over the Potomac, the Federal troops pushed out to occupy Newport News Point, on the James

river, overlooking much of the Hampton Roads anchorage. This point was circumvallated, and a heavy battery mounted on the bluff facing the water. The object of this occupation was not then, and is not now, apparent. It was too far away from Yorktown or Warwick to menace those places, or to afford a base of operations which the Fortress and Hampton did not offer. It was too exposed for a camp of instruction. It divided a command at no time too strong, and weakened operations by compelling the troops to stand on the defensive—thus inaugurating a policy at once fatal to the spirit of the troops and to the success of our arms. Butler acted under superior orders in the disposition.

The second camp on the Peninsula, composed of Colonel Duryea's Zouaves and Colonel Carr's (Troy) regiment N. Y. volunteers, was located one mile north-west of the Fortress, just beyond the dyke leading to the main land, on the farm of Colonel Segar. Hampton Village, near by, was deserted by its inhabitants, soon after Butler's arrival. His several dashing reconnoissances, and the advance of his troops, convinced the Secessionists of the necessity of leaving his neighborhood, and, by June 1st, the village was quite deserted—not one hundred of its one thousand inhabitants remaining.

Troops rapidly poured into Butler's department, and he soon found himself in a condition to act on the offensive. Magruder's scouts and cavalry greatly annoyed the two camps mentioned. They had, also, seized several Union men. These raids became so frequent and annoying that a night attack was concerted upon their positions at Little



The Expedition  
Against the Bethels.

Bethel and Big Bethel—the latter, near the north branch of Back River, where it was understood Magruder's outposts were throwing up strong works. Brigadier-General Pierce, of the Massachusetts troops, was detailed to command the expedition. Duryea's Zouaves were pushed over Hampton Creek shortly after midnight, with orders to "march by the road up to Newmarket bridge, then crossing the bridge, to go by a by-road, and thus put the regiment in the rear of the enemy, and between Big Bethel and Little Bethel, in part for the purpose of cutting him off, and then to make an attack upon Little Bethel." This regiment was to be supported by Colonel Townsend's regiment (Third New York volunteers) at Hampton, which was to take up its line of march at two o'clock. Colonel Phelps, at Newport News, was ordered to send forward "such companies of the regiments under his command as he thought best, under command of Lieutenant-Colonel Washburne, in time to make a demonstration upon Little Bethel in front, and to have him supported by Colonel Bendix's regiment, with two field pieces." Bendix and Townsend were to form a junction at the forks of the roads leading from Hampton and Newport News, about a mile and a half from Little Bethel.

These movements were so arranged that the attack upon Little Bethel was to be made at daybreak; when, the enemy being repulsed, Duryea's Zouaves and one of the Newport News regiments was to "follow upon the heels of the flying rebels and attack the battery on the road to Big Bethel, while covered by the fugitives, or, if it was thought expedient by General Pierce, failing to surprise the camp at Little Bethel, they should attempt to take the work at Big Bethel. To prevent the possibility of mistake in the darkness, Butler directed that no attack should be made until the watchword was shouted by the attacking regiment; and, in case that, by any mistake in the march, the regiments to make the junction should unexpectedly meet and be unknown to each other, it was directed that the members of Colonel Townsend's regiment should be known, if in daylight, by something white worn on the arm."

We state these orders explicitly that the commanding General who ordered the expedition may have their benefit in a decision as to the responsibility for the disgraceful disaster which followed.

The troops were all put in motion as ordered. The beautiful night, clear with the light of stars, rendered every movement easy. The regiments passed to their several designated positions—Duryea's in the advance and Lieutenant-Colonel Washburne with the Newport News troops close at hand. Townsend's regiment, coming up, was within a few yards of the rendezvous, when suddenly a furious fire opened upon his ranks. This fire, supposed to proceed from an ambuscade of the enemy, was returned, while the assailed regiment left the road and took the cover of a ridge in the rear. Not until several rounds had been discharged and two of Townsend's men killed and eight wounded did the assailants (who proved to be a portion of Colonel Bendix's regiment of German riflemen, together with a few companies of Massachusetts and Vermont men) discover their grievous mistake.

Meanwhile, Duryea and Washburne, hearing the firing, supposed the supporting regiments to be engaged with the enemy—in which event they were completely flanked. They therefore fell back, although the enemy's pickets had been driven in and five of them captured. The alarm thus given prevented the contemplated *surprise* of the enemy. When the forces again moved forward to the attack, it was to find Little Bethel deserted. A conference was then called and an assault of Big Bethel resolved upon—Duryea to lead the advance. Butler was informed, by messenger, of the state of affairs, and sent forward Colonel Allen's regiment as a reserve, to await orders at Hampton.

Approaching the enemy's position at Big Bethel, it was found that their guns commanded all points of approach. The road leading up to the bridge over the creek was swept by their artillery. A thick woods to the left of the road afforded some protection to the Federal left. An open field on the right of the approach only offered a house and out-buildings as a cover. The enemy

The Federal Troops  
fire on one another.



The Assault on Big  
Bethel.

occupied a hill, beyond the creek, which almost completely secured their front.

At their rear was a dense wood. This gave them the advantage of ground, greatly. A reconnoissance would have demonstrated the futility of a front attack except by artillery. The only hope for the Federals was in a flank movement, higher up the creek, by which, the stream being passed, the enemy could be assaulted in their works, at the point of the bayonet, if necessary. This movement was only attempted partially at a late hour in the day.

The rebels were well prepared, and only awaited the appearance of the head of the Federal advance to open a sharp fire. Duryea, covered by two howitzers and a brass six-pounder, took the centre; Townsend the left, near the plain, with two guns; Bendix the right, in the woods, with Lieutenant Greble serving his single piece of artillery, in front, openly. The fight was, from the first, extremely unequal. A front attack was sheer folly. But, the flank movement was not ordered. A second messenger was dispatched for reenforcements—as if five to one in favor of the Federals were not enough! Colonel Carr's regiment then advanced as far as New-market bridge, moved to the scene of conflict—only reaching it, however, to participate in the retreat.

The fortunes of the day needed but a master-hand to direct them, to have turned in favor of the Union troops. General Pierce refrained from active command\*—each regiment seeming to act entirely on its own responsibility. Several most gallant advances were made by the Zouaves, up to the enemy's very face, to pick off the men lurking behind their guns. Colonel Bendix prepared for a final assault, but found no orders given for a support. Townsend's men behaved with great gallantry, and were only brought away from the murderous fire of the artillery by the personal leadership of the Colonel, who,

\* There is much variation in the several versions of this affair made public. Pierce's friends regard the battle as having been lost by the refusal of the several regimental commanders to act in concert. If they disobeyed orders why did he not have them court-martialed?

The Assault on Big  
Bethel.

on his horse, rode between the fires, and compelled his troops to retire. Lieuten-

ant-Colonel Washburne had, also, arranged for a flank movement which, with a combined attack from the front, must have ended the struggle; but the order for retreat was given before the movement could be executed. One who was present as an observer, wrote:

"The raw troops, recruits not yet two months enlisted, and many of them not having received two weeks drill, stood fire well. They were almost utterly unable to defend themselves, from the nature of things, but never flinched. Some were less disciplined than others, and their efforts less available, but no lack of the most difficult sort of courage, that which consists in enduring without the excitement of performing, was manifested. The cannonading of the enemy was incessant. Shrapnel, canister, and rifled balls came at the rate of three a minute; the only intervals being those necessary to allow their guns to cool. Our own guns, although of comparatively little use, were not idle, until the artillery ammunition was entirely exhausted. Almost all of the cartridge rounds of the Zouaves were also fired.

"At about one o'clock, Colonel Allen's regiment, the First New York, came up as a reenforcement, and, at about the same time, Colonel Carr's, of the Troy Volunteers; these also received several discharges of artillery; but did not move upon the open field, with the exception of two hundred of the Troy Rifles. Their approach, however, seemed to the commanding General to give no hope that he would be able, without more artillery, to take or silence the batteries, and, at about twenty minutes past one, he gave the order to withdraw."

The Federal loss was fourteen killed, forty-nine wounded and five missing. Among the killed were two of the most gallant and noble men in the service—Major Theodore Winthrop, Secretary and Aid to General Butler, and first-Lieutenant John T. Greble, of the United States regular artillery, Second regiment. The rebels pronounced their loss to have been but one killed and four wounded. The retreat was accomplished in good order—the enemy not pursuing. A troop of cavalry sallied over the bridge, and fell upon the wagons collecting the wounded—disregarding the flag of truce borne by the Chaplain in command; but no attack was made on the lines. Colonel Phelps had dispatched two hundred and fifty men, under Colonel Haw-



The Assault on Big  
Bethel.

kins, to the scene of combat;  
but these troops only met  
the retreat.

This contest excited the public mind greatly. Upon General Pierce the censure of defeat fell, with merciless severity. He was charged with inefficiency, ignorance of field manœuvres, want of pluck, etc., etc. It is questionable if such charges were just. The first error was in dispatching so large a force without equivalent artillery. Had there been a dozen good field-pieces, the enemy would have been driven from his position in half an hour. As it was, Greble's single gun did memorable service. Or, had Bendix and Duryea been supported in a charge at a moment when it was evident that Greble and the sharpshooters had silenced over half of the enemy's guns, the day must have been won. General Pierce apparently lacked confidence in himself. It was his first experience on the battle field; he seemed confused by its responsibilities. Conceded to be a brave officer and a good disciplinarian, he still lacked the experience of a general field command. Had he wisely transferred that command to Duryea or Townsend, that army never would have retreated, especially after the arrival of Colonel Carr's fine troops, with their two effective pieces of artillery.

In the enemy's account of the fight, as given by the *Richmond Dispatch*, the fact was made known that Magruder commanded in person. The infantry present consisted of the First North Carolina regiment, Colonel Hill. Their guns consisted of a superb howitzer battery (seven guns), embracing one fine

Parrot field-piece. The battery was worked by one hundred chosen men, under Major Randolph.

Colonel Hill, in his announcement to Governor Ellis, of North Carolina, of the engagement, stated his force to have been eight hundred men of the First North Carolina regiment and three hundred and sixty Virginians.

After this affair nothing of further moment trans-  
Inaction.  
pired during the command of Butler, which extended up to August 16th, when he was relieved by Major General Wool. The heavy Federal force which found itself gathered at the Fortress and its vicinity during the months of June and July, served only as a menace to Norfolk and Yorktown, but did not, as such, give the enemy any alarm. Magruder's forces swarmed over the Peninsula, to the constant harassment of the Union camps, and the terror of the "contrabands," whose numbers had so rapidly increased that, by August 1st, three thousand men, women and children were provided with daily rations. To catch these "black rascals" was a labor into which the rebels entered with zeal. Wo betide the poor wretch who, having once fled to the Federal lines, afterwards fell into Confederate hands! August 9th the village of Hampton was burned by the rebels, acting under orders of Magruder. As this village was almost under the very guns of the Fortress, it will be inferred that the Federals had made but little advance since their first movements adverted to in the first portion of this chapter.



## CHAPTER XIX.

### THE FIRST WESTERN VIRGINIA CAMPAIGN.

Purposes of the Campaign. THE campaign in Western Virginia had two objects in view; 1st, to assist in the development of the Union movement, by keeping out the emissaries and bayonets of the Confederates; 2d, to force the rebels backward from the Potomac and thus relieve the Baltimore and Ohio railway, which was fast becoming a necessary highway for the transport of troops and to supply Washington with army subsistence. The Governors of the several Western States convened at Cleveland, Ohio, early in May, to arrange for concert of action in the peril which at that time seemed particularly to threaten the West and its great avenues of commerce—the Ohio and Mississippi rivers. As a result of their deliberations they requested Government to organize the Department of the Ohio. This wish was acceded to immediately, and General McClellan placed in command by orders of May 10th. [See page 143.]

McClellan's First Proclamation.

The campaign opened May 26th, when McClellan issued his first proclamation. It read:

“HEAD-QUARTERS, DEPARTMENT OF OHIO, }  
CINCINNATI, May 26th, 1861. }

“*To the Union Men of Western Virginia:*

“VIRGINIANS: The General Government has long enough endured the machinations of a few factious rebels in your midst. Armed traitors have in vain endeavored to deter you from expressing your loyalty at the polls. Having failed in this infamous attempt to deprive you of the exercise of your dearest rights, they now seek to inaugurate a reign of terror, and thus force you to yield to their schemes, and submit to the yoke of the traitorous conspiracy, dignified by the name of the Southern Confederacy. They are destroying the property of citizens of your State, and ruining your magnificent railways. The General Government has heretofore carefully ab-

stained from sending troops across the Ohio, or even from posting them along its banks, although frequently urged by many of your prominent citizens to do so.

McClellan's First Proclamation.

“It determined to await the result of the State election, desirous that no one might be able to say, that the slightest effort had been made from this side to influence the free expression of your opinions, although the many agencies brought to bear upon you by the rebels were well known. You have now shown, under the most adverse circumstances, that the great mass of the people of Western Virginia are true and loyal to that beneficent Government under which we and our fathers have lived so long. As soon as the result of the election was known, the traitors commenced their work of destruction. The General Government can not close its ears to the demand you have made for assistance. I have troops to cross the river. They come as your friends and brothers; as enemies only to armed rebels who are preying upon you. Your homes, your families, and your property are safe under our protection. All your rights shall be religiously respected.

“Notwithstanding all that has been said by the traitors to induce you to believe our advent among you will be signalized by an interference with your slaves, understand one thing clearly: Not only will we abstain from all such interference, but we will, on the contrary, with an iron hand, crush any attempt at insurrection on their part.

“Now that we are in your midst, I call upon you to fly to arms and support the General Government; sever the connection that binds you to traitors; proclaim to the world that the faith and loyalty so long boasted by the Old Dominion are still preserved in Western Virginia, and that you remain true to the Stars and Stripes.

G. B. McCLELLAN,

“Major-General Commanding.”

This was followed by an Address to the army, calculated still further to reassure the loyal Virginians that their persons, property



Address to his Troops.

and rights would be respected. It was worded :

" **SOLDIERS:**—You are ordered to cross the frontier, and to enter on the soil of Virginia. Your mission is to restore peace and confidence ; to protect the majesty of the law, and to secure our brethren from the grasp of armed traitors. I place under the safeguard of your honor the persons and property of the Virginians. I know you will respect their feelings and all their rights, and will preserve the strictest discipline.

" Remember, that each one of you holds in his keeping the honor of Ohio and the Union. If you are called to overcome armed opposition, I know your courage is equal to the task. Remember that your only *foes are armed traitors*. Show mercy even to them, when in your power, for many of them are misguided.

" When, under your protection, the loyal men of Western Virginia have been enabled to organize and form until they can protect themselves, you can return to your homes, with the proud satisfaction of having preserved a gallant people from destruction."

Occupation of  
Grafton.

Prior to the issue of these documents, everything had been arranged for the advance. Colonel Kelley, in command at Camp Carlisle, in Ohio, opposite Wheeling, gave the word of command for the onward movement, Sunday evening, (May 26th,) by reading the Proclamation and Address.

The announcement was received with wild huzzas by the troops. Monday morning the advance, composed of the First Virginia volunteers, passed into Virginia eleven hundred strong, and, at seven o'clock, were *en route* for Grafton, a place of some strategic importance, lying at the junction of the Baltimore and Ohio and the Northwestern Virginia railways. The First Virginia was followed immediately by the Sixteenth Ohio volunteers, Colonel Irvine. The Fourteenth Ohio, Colonel Steedman, at the same time crossed the river at Marietta, and occupied Parkersburg, the western terminus of the Northwestern railroad.

The rebels, then in possession of Grafton, had arranged for a descent on Wheeling; but hastily evacuated on the night of Monday, having previously destroyed railway bridges and culverts, and placed obstructions on the track at several points to the west of Grafton. The Federals, detained by broken bridges

and necessary repairs, did not reach the place until Thursday morning, when six companies under Colonel Kelley, occupied the enemy's late quarters. On Friday the rest of the two regiments came in. This advance was rapidly followed by the Fifteenth Ohio, Colonel Dickey; Sixth Indiana, Colonel Crittenden, and Seventh Indiana, Colonel Dumont, while the forces hurried up from Parkersburg to the junction.

McClellan ordered the surprise of Philippi by a forced march. Brigadier-General Morris arranged the plan of the expedition. On the night of June 2d, two divisions of two regiments each, started for the point of attack—one by way of Webster, under command of Colonel Dumont, consisting of eight companies of the Seventh Indiana, four companies of the Fourteenth Ohio, Colonel Steedman, with his artillery under command of Lieutenant-Colonel Sturgis, assisted by Colonel Lander, who volunteered for the enterprise. The second division, under command of Colonel Kellogg, comprised the First Virginia, and companies from the Sixteenth Ohio and Seventh Indiana. This body moved east by way of Thornton, thence south to Philippi (twenty-two miles) by a rapid march. It was a most wretched night for such an enterprise. The darkness was intense; the mud was deep; the wind and rain drove against the ranks like invisible hands to restrain their march. Kelley's men, having the longer route to pursue, did not reach the rear of Philippi at the time named—four o'clock A. M. Dumont and Lander arrived in season and awaited Kelley's appearance on the southern side of the town to cut off the enemy's retreat when routed by the front attack. The enemy soon became aware of the Federal presence, when great commotion followed in his camps. A hasty retreat was, evidently, proposed. Lander, impatient at this threatened loss of his game, ordered the artillery to open, from its commanding position, while Dumont with his fine infantry rushed up the road, across the bridge, and into the town to sweep the rebels before him. Lander, like a Saladin, could endure no distant view of the fight. Leaving the artillery to be served by Sturgis, he dashed down the

The Rebel Rout at  
Philippi.



The Rebel Rout at  
Philippi.

almost precipice front of the hill, and, in a moment, was flying like a spirit of destruction before all into the town, followed by the shouting men. A brief struggle only followed. The dismayed enemy, under Colonel Porterfield, for a moment staggered under the artillery fire, then fled with precipitancy to the south. Colonel Kelley's force came up at the opportune moment, and fell upon the retreat with all the zeal which the almost spent strength of the wearied men would allow. Kelley himself led in the pursuit, and was struck down by a pistol-shot from the Confederate Assistant-Quartermaster. Lander, seeing the act, alone rushed in upon a surrounding company of the enemy and drove the assassin into a fence corner. His friends rallied for a rescue, but Lander, with his two unspent revolvers, confronted them so like a Nemesis that none dared to come within his range. A squad of Kelley's men soon came up, and would have bayoneted the rebel on the spot had not Lander declared that he would protect a prisoner of war with his life. He was as merciful and just in victory as brave and terrible in battle. [Kelley, shot through the lungs, was pronounced, by the surgeons, mortally wounded; but, after weeks of suffering, the brave man and excellent commander was again in the field at the head of a brigade.] The Union loss was two killed and Colonel Kelley wounded. The rebel loss was sixteen killed and ten prisoners.

The enemy's camp contained much store of provisions, clothing and munitions, and seven hundred and forty-nine stand of arms—all of which were secured. Porterfield retreated to Beverly, thence to Huttonsville, whither the Confederate leaders soon centered a large force, while they also proceeded to fortify several strong strategic and permanent positions at those points which commanded the avenues of access to Southern Virginia, through the Alleghany Mountains. Thus disposed the rebels felt not only secure, but conceived the idea of eventually forcing McClellan back from Grafton. To secure the requisite force, the Governor of Virginia commanded the militia of Western Virginia to repair to the Huttonsville camp, and forced levies were made to a considerable extent.

As a consequence, the Unionists were subjected to many perils and persecutions. Great numbers of them fled to Grafton, Philippi and Wheeling—forsaking their homes to escape conscription or arrest.

The Federal forces rapidly augmented at Grafton and vicinity during June,

Subsequent Activity  
of Both Parties.

with a view to compass the enemy and press him from the strongholds he was disposed to retain. Colonel Steedman's regiment moved forward on the 14th to Buckhannon, to protect the Union men of that place, but again fell back, finding the danger of being cut off too imminent. The rebels were exceedingly active. Great numbers of reenforcements came in from the Capital. Ex-Governor Wise was placed in chief command in Western Virginia. Colonel Pegram was detailed to fortify the position on Rich Mountain. General Garnett was at Laurel Hill. Rumors were frequent of advances and surprises. Scouts and spies lurked everywhere, in all guises, and both friend and foe were fully informed of each other's doings. The rebels designed a bold push for the occupancy of Cumberland, thus to outflank McClellan's advance and to "carry the war into Yankee Doodledom"—as the Richmond papers facetiously said was their true policy. Notwithstanding Colonel Lew. Wallace's bold dash into Romney, June 11th, the rebel forces infested the region round about in strong force; and the evacuation (by them) of Harper's Ferry (June 14th) was followed by rapid dashes to the west, as if putting out "feelers" in anticipation of their arranged movement in force to the North. Piedmont, near the Maryland line, on the Baltimore and Ohio Railway, was visited by the enemy in considerable force, on the 19th, when they proceeded to a general destruction of bridges, telegraph wires, &c. They then pushed for Cumberland, where they hoped to capture Colonel Wallace and his bold Zouaves, who held a number of rebel officers prisoners, taken at Romney. But, the rapid reenforcement of Wallace by the mountaineers, compelled the bold Confederates to give up their hopes of entering Cumberland, or of destroying its superb bridge.

McClellan arrived at Grafton June 23d.



McClellan's Arrival.  
His Proclamation.

He then issued his second proclamation, repeating his former pledges, and saying:

"To my great regret, I find that the enemies of the United States continue to carry on a system of hostilities prohibited by the laws of war among belligerent nations, and of course far more wicked and intolerable when directed against loyal citizens engaged in the defense of the common Government of all.

"Marauding parties are pursuing a guerrilla warfare, firing upon sentinels and pickets, burning bridges, insulting, injuring and even killing citizens because of their Union sentiments, and committing many kindred acts.

"I do now, therefore, make proclamation and warn all persons that individuals or parties engaged in this species of warfare, irregular in every view which can be taken of it, those attacking sentries, pickets, or other soldiers, destroying public or private property, or committing injuries against any of the inhabitants because of Union sentiments or conduct, will be dealt with in their persons and property according to the severest rules of military law.

"All persons giving information or aid to the public enemies, will be arrested and kept in close custody, and all persons found bearing arms, unless of known loyalty, will be arrested and held for examination."

This was called for by the venomous character betrayed by the Secessionists, who became guerillas, bridge-burners, scouts and thieves, as occasion offered. The Proclamation was designed to reduce the conflict to the rules of civilized warfare.

The disposition of the troops at the date of his arrival was as follows: Sixth Indiana and Fourteenth Ohio at Philippi; Sixteenth Ohio at Cheat River; Eighth and Tenth Indiana at Clarksburg; Ninth Ohio at Webster bridge; Third and Fourth Ohio at Grafton. The Confederates were encamped in strong force thirteen miles from Philippi. Porterfield, with three thousand men, occupied Huttonsville. Pegram was at Rich Mountain.

McClellan made a rapid inspection of the surrounding country, visiting all the camps, conferring with all the officers, and soon arranged his plans of action. His policy was one of active advance and rapid strokes. On the 25th, he issued a second address to his soldiers. It was couched in

terms which bear repetition, as throwing light upon the character of the conquest at which the Union army aimed. It is of value as evidence bearing on the points already alluded to [see page 177] regarding the difference of spirit which animated the armies:

*"To the Soldiers of the Army of the West:*

McClellan's Address  
to his Soldiers.

"You are here to support the Government of your country, and to protect the lives and liberties of your brethren threatened by a rebellious and traitorous foe. No higher or nobler duty could devolve on man, and I expect you to bring to its performance the highest and noblest qualities of soldiers' discipline—courage and mercy. I call upon the officers of every grade to enforce the highest discipline; and I know that those of all grades, privates and officers, will display in battle cool, heroic courage, and will know how to show mercy to a disarmed enemy. Bear in mind that you are in the country of friends, not of enemies; that you are to protect, not to destroy. Take nothing, destroy nothing, unless you are ordered to do so by your General Officers. Remember that I have pledged my word to the people of Western Virginia that their rights in person and property shall be respected. I ask every one of you to make good this promise in its broadest sense. We have come here to save, not to upturn. I do not appeal to the fear of punishment, but to your appreciation of the sacredness of the cause in which we are engaged. Carry into battle the conviction that you are right, and that God is on our side. Your enemies have violated every moral law; neither God nor man can sustain them. They have, without cause, rebelled against a mild and paternal Government; they have seized upon public and private property; they have outraged the persons of Northern men, merely because they came from the North, and of Southern Union men, merely because they loved the Union; they have placed themselves beneath contempt, unless they can retrieve some honor on the field of battle. You will pursue a different course. You will be honest, brave, and merciful. You will respect the right of private opinion. You will punish no man for opinion's sake. Show to the world that you differ from our enemies in these points of honor, honesty and respect for private opinion, and that we inaugurate no reign of terror where we go. Soldiers, I have heard that there was danger here. I have come to place myself at your head and share it with you. I fear now but one thing, that you will not find foemen worthy of your steel, I know that I can rely upon you.

("Signed) GEORGE B. McCLELLAN,  
"Major-General Commanding."



The Leniency Shown  
Disloyal Persons.

The leniency shown disloyal persons, in Western Virginia, during the period

of McClellan's command, gave no little offense to those who preferred to treat with rigor every person found in arms against the Union. But, though much harm came of allowing vicious enemies their liberty on subscribing to an oath which they hastened to scorn, good came from the leniency practiced. The masses of people, though really Unionists, had been taught and made to feel that the army was sent for their subjugation and dispoliation—that slaves were to be freed and armed, and “the Yankees” made possessors of the soil. To disabuse the people of such impressions was McClellan's purpose, in order that they might rally around the Wheeling Government and thus reorganize the State. To have carried the sword into Virginia without these assurances, would have been to find an implacable enemy in every resident. As results showed, the course pursued made them friends and coadjutors; Western Virginia soon furnished several fine and effective regiments for Federal service. The same policy prevailed, at a later day, in other States, but with less successful results. In most instances leniency was construed as evidence of pusillanimity; and cases were only too frequent where commanding officers forgot both self-respect and humanity in their endeavors to “show mercy to a conquered enemy.” Such instances served all the more rapidly to hasten the development of that stern sentiment which found its expression in the Congressional Confiscation and Emancipation Act of July, 1862.

Enumeration of  
McClellan's Forces.

At the date of July 4th, McClellan's forces numbered about thirty-two thousand effective men, distributed as follows:

in the vicinity of Buckhannon, under his own personal command and that of Brigadier-General Rosecrans, were the Third Ohio, Colonel Isaac H. Marrow; Fourth Ohio, Colonel Lorin Andrews; Seventh Ohio, Colonel E. B. Tyler; Ninth Ohio, Colonel Robert S. McCook; Tenth Ohio, Colonel Wm. H. Lytle; Fourteenth Ohio, Colonel Jas. B. Steedman; Seventeenth Ohio, Colonel Jno. McConnell; Eighteenth Ohio, Colonel Timo-

thy R. Stanley; Nineteenth Ohio, Colonel Saml. Beatty; Eighth Indiana, Colonel Wm. P. Benton; Ninth Indiana, Colonel Gideon C. Moody, (afterwards Colonel Milroy;) Tenth Indiana, Colonel M. D. Manson; Fifteenth Indiana, Colonel G. D. Wagner; the Chicago Dragoons, Captain W. Baker; Sturgis' Rifles, (McClellan's Body Guard,) Captain Sturgis; Chicago Cavalry, Captain Barker; the Coldwater (Michigan) Artillery, Captain Culp.

At Philippi was the Sixth Indiana, Colonel Thos. T. Crittenden; at Ripley the Twenty-first Ohio, Colonel Jesse S. Norton; at Grafton (head-quarters of Brigadier-General Hill) the Seventh Indiana, Colonel Dumont; Thirteenth Ohio, Colonel Wm. S. Smith; the Kansas Artillery and Company I of the Fourth (regular) artillery, Lieutenant Ward.

Colonel Cox (ranking Brigadier-General) on the Kanawha, watching the movements of Ex-Governor Wise, held the line of the river with the Eighth Ohio, Colonel S. S. Carroll; Twelfth Ohio, Colonel J. W. Lowe; First Kentucky, Colonel W. Woodruff; Second Kentucky, Colonel W. G. Terrell; Eleventh Ohio, Colonel De Villiers.

At Cheat River were the Fifteenth Ohio, Colonel Moses R. Dickey, (Colonel G. W. Andrews acting;) Sixteenth Ohio, Colonel J. Irvine, and the First Virginia.

There were, also, *en route* for the field the Thirteenth Indiana, Colonel J. C. Sullivan; Fourteenth Indiana, Colonel N. Kimball; Seventeenth Indiana, Colonel M. S. Hascall.

At Clarksburg were the fast forming Second and Third Virginia volunteers, afterward commanded respectively by Colonel Jno. W. Moss and Colonel David T. Heroes; also the Sixth Ohio, Colonel W. K. Bosley.

These somewhat scattered forces McClellan began to centralize rapidly. By

The Forward Movement.

July 8th his lines were so far compressed that the advance was ordered. The enemy's main force was then intrenched at Laurel Hill. McClellan's plan was to approach it from the south and west, by way of Buckhannon, while Brigadier-General Morris with four thousand men pushed out toward Laurel Hill, direct, to keep the enemy's attention in that direction.

After a sharp skirmish at Buckhannon,



The Battle of Rich Mountain.

McClellan approached the rear of the enemy, whom, however, he found strongly intrenched at Rich Mountain, to the number of eighteen hundred, under Colonel Pegram. Sending (July 11th) General Rosecrans with a part of three regiments to assail them in the rear, while he himself should attack them in front, he hoped to capture the enemy *en masse*; but, some want of co-operation followed which interfered with the completeness of the results. Rosecrans reached the rear of the mountain to find it held by some three hundred rebels, but did not succeed in communicating with McClellan that he was ready to attack. The command of McClellan therefore lay inactive for several hours. Hence, though the attack of Rosecrans was entirely successful upon the force before him, Pegram took the alarm, and silently moved off during the night with his main body, to join Garnett at Laurel Hill. He found it impossible, however, to do so; and, after lying in the woods for two days, utterly destitute of provisions, was obliged to surrender, with a large body of his men, who came straggling into the Union lines for several succeeding days, as our army pushed rapidly on their heels. Pegram wrote to McClellan, the day previous to his surrender, as follows:

"SIX MILES FROM BEVERLY, July 12th, 1861.

"To the Commanding Officer of the Northern Forces, Beverly, Virginia:

"SIR: I write to state to you that I have, in consequence of the retreat of General Garnett, and the jaded and reduced condition of my command—most of them having been without food for two days—concluded, with the concurrence of a majority of my Captains and Field Officers, to surrender my command to you to-morrow, as prisoners of war. I have only to add, I trust they will only receive at your hands such treatment as has been invariably shown to the Northern prisoners by the South.

"I am, sir, your obedient servant,

"JOHN PEGRAM,

"Lieutenant-Colonel P. A. C. S., commanding."

The Federal commander replied by accepting the surrender, but stated that it was not in his power to relieve either Pegram or his men from the liabilities incurred by them in taking up arms against their country. His troops came in to the number of six hundred with their officers.

On the 13th, McClellan was in Beverly, from which

McClellan's Report.

Garnett had fled in confusion, early in the day. The Federal commander gave the results of his two days' work, and indicated his succeeding course in his dispatch to the Department dated from Beverly, July 13th. It read:

"The success of to-day is all that I could desire. We captured six brass cannon, of which one is rifled, and all the enemy's camp equipage and transportation, even to his cups. The number of tents will probably reach two hundred, and more than sixty wagons. Their killed and wounded will amount to fully one hundred and fifty, with at least one hundred prisoners, and more coming in constantly. I know already of ten officers killed and wounded.

"Their retreat was complete. I occupied Beverly by a rapid march. Garnett abandoned his camp early this morning, leaving much of his equipage. He came within a few miles of Beverly, but our rapid march turned him back in great confusion and he is now retreating on the road to St. George.

"General Morris is to follow him up closely. I have telegraphed for the two Pennsylvania regiments at Cumberland to join General Hill at Rowlesburg. The General is concentrating all his troops at Rowlesburg, and will cut off Garnett's retreat near West Union, or if possible at St. George.

"I may say that we have driven out some ten thousand troops, strongly intrenched, with the loss of eleven killed and thirty-five wounded. Provisions returns found here show Garnett's force to have been ten thousand men. They were Eastern Virginians, Georgians, Tennesseans, and I think Carolinians. To-morrow I can give full details as to prisoners, &c. I trust that General Cox has by this time drawn Wise out of the Kanawha Valley. In this case I shall have accomplished the object of liberating Western Virginia. I hope the General-in-Chief will approve of my operations."

This dispatch shows how well ordered the movements were—each detachment dropping in upon the enemy to secure his destruction.

These movements of Garnett will be more clearly apprehended, by recurring to the action of the force under General Morris, which McClellan had ordered to move down from Philippi. This division immediately started under the skillful pilotage of Captain Beelington, of the Topographical Engineers, who well knew the face of the country. Beelington, on the opposite side of the valley from Laurel Hill, was safely reached, and, in spite

Garnett's Movement



of the enemy's sharp attacks by skirmishers and artillery, was fortified so as to hold it pending the approach of McClellan's column from the south. When Pegram was so unexpectedly pressed out of his burrow at Rich Mountain, Garnett, apprehending his great danger of being caught between the two columns, sought to extricate himself from the threatening grasp of the Federal commander. Leaving his works on Laurel Hill, he pushed out for Beverly. This, his advance had scarcely occupied when the fugitives from Pegram's camp, flying before Rosecrans' hot pursuit, informed him that further delay there was impossible without capture. The only avenue of escape was to retrace his path to Leedsville, where another turnpike road branched off to the north-east, on the other side of Laurel Mountain. Pursuing this route with all speed, he passed Leedsville during the afternoon of the 13th, and pressed on along the base of the mountains down the Cheat River, hoping to find some practicable path across the mountains into the valley of Virginia. Throwing away all superfluous baggage, he fled rapidly, and soon turned off from the main road into a narrow path along the mountains, in which pursuit might be more easily obstructed. Here he closed the narrow path after him, filling every defile through which he moved by felling the largest trees into and across it.

The flight from Laurel

Pursuit of Garnett.

Hill was discovered by General Morris early on the morning of June 12th. Pursuit was at once made—Captain Benham on the advance. Leedsville was reached. There the advance awaited the coming up of the whole division. At two, A. M., (13th,) the pursuit was resumed. Benham again led, with eighteen hundred men. Up and down the mountains, through defiles, and over rugged ridges, everywhere impeded by the obstructions thrown in the way by the flying enemy—the pursuit was pressed with unflagging ardor. Many men fell behind, exhausted with hunger and exertion. But on the regiments rushed, forgetful of hunger, weariness, pain, in the eager desire to put their foe at bay.

At length their quarry was reached. On one of the branches of Cheat River, the

Federal scouts discovered Garnett's provision train at a halt (at noon of the 13th.) A musket, recklessly discharged by an overjoyed trooper, set the train in motion, and a further pursuit of three miles followed—the train being covered by two strong regiments.

In crossing the stream at Carricksford, the enemy again was overtaken. Gar-

Battle of  
Carricksford.

nett there determined upon an obstinate defense—assisted greatly by the nature of the ground. Cheat River wound around a bluff fifty feet in height, whose base was covered with an almost impenetrable laurel jungle. On this bluff Garnett planted two guns so as to command the Federal approach. Two thousand infantry supported the battery, with the reserve of three thousand one mile in the rear. The infantry was ensconced behind a rail fence and trees felled on the brow of the hill, with flank lines also under cover down to the road.

The Fourteenth Ohio, Colonel Steedman, came up first and received the galling fire of the hill. The Seventh Indiana, Colonel Dumont, flung themselves into the river, preparatory to an attempt to scale the bluff. They were only restrained by the emphatic orders of Benham, who soon found a suitable point for the ascent which would flank the enemy. The Seventh was ordered to cross the stream under fire; then having gained the foot of the bluff, to pass down the river to the point of ascent, some distance below. The gallant fellows executed the movement with alacrity, and, ere long, their shout, as they marched up the declivity upon the enemy's left, told the troops still assailing in the front, that their comrades had won the position. The struggle was short. The enemy fell back slowly from the brow of the hill towards his reserves, leaving one gun in the hands of the Indianians. Our forces then prepared to pass the stream to follow up the attack. Garnett, with great bravery, rode along his ranks and in vain sought to bring his men up to the stream to contest the crossing. He approached the bank only to be shot by the advancing Federalists. His men fled in utter confusion. The reserves catching the panic, the retreat soon became a disordered rout. The officers sought to reach Romney. Only



Garnett's Defeat  
and Death.

one (Georgia) regiment pursued its way unbroken. For several days the Federal scouts brought in the rebels in great numbers. They proved to be a forlorn set of vagabonds at best. But, all were treated humanely; and, obeying the injunctions of orders, those were released who chose to take the oath of allegiance. Many of them took the oath, were clothed, were fed for several days, and then were allowed to depart. It was ere long ascertained that the large majority of those thus released were again in the ranks of the enemy.\*

General Hill failed to perform his allotted task by catching the remnant of the routed forces. He pushed for Oakland to find that the rebels had passed through that place a few hours previous to his arrival. Hastening on toward Romney, he approached to within a few miles of that stronghold, but only to gather up a few stragglers and abandoned arms. About two thousand of Garnett's men finally reached Romney to be added to Johnston's army, then watching Patterson's advance from Harper's Ferry, and Williamsport. The rebel loss in these several engagements was two hundred and fifty killed, over one thousand prisoners, five guns, twelve colors, fifteen hundred stand of arms, and great quantities of camp equipage, stores, horses, &c. The Union loss was twenty killed and sixty wounded.

McClellan's Transfer  
to the Command-  
in-Chief.

In the midst of operations, when his campaign had but fairly opened, McClellan was suddenly called to Washington, to assume the active Command-in-Chief of the Army of the Potomac. The operations of McDowell in the direct march upon Richmond had resulted in a reverse which threatened a general demoralization of the army, while it opened the way for an enterprising enemy to walk up to the very vicinity of the National Capital. McClellan had acted well

\* This infamous disregard of oaths and honor was happily satirized in the sarcasm of a Captain in one of the Ohio regiments. A rattlesnake was caught alive on the mountains and brought into camp. After tiring of its presence, its captor asked the Captain what he should do with the reptile. "Oh, swear him and let him go!" was the curt reply.

his part of Scott's well-conceived programme for forcing the enemy out of Virginia. Patterson executed his allotted task with less success—indeed, so illy as to cause McDowell's defeat at the very moment of victory. General Scott's injunctions to engage and hold the rebels at Winchester, at all hazards, were not acted upon, and Johnston's entire army of about fifteen thousand men pushed down upon McDowell's advancing divisions to snatch from them the victory just within their grasp. The flush of success was changed, in an hour, to the panic of a rout; and the country witnessed the humiliating spectacle of its finest army flying before a non-pursuing enemy, leaving behind it the wounded and sick and millions of dollars in stores, arms and transportation. In such an hour all eyes sought for an *acting* commander, capable of bringing order out of that chaos. The list of commanders was large, but all, comparatively, were untried men. None had done so much and wrought so well as McClellan. He was young, strong, loyal and eager for duty. He had shown fine capacity for command. His experience, for one so young had been such as to qualify him for directing and leading in the field. He was the people's choice, Scott's choice, Government's choice. He was relieved immediately of the command in Western Virginia to enter upon the herculean task of restoring order, of giving efficiency to the army covering the Capital.

Transferring his com-  
mand to Brigadier-General  
Rosecrans, (July 22d,) Mc-

Rosecrans in Com-  
mand.

Clellan departed from Beverly for Grafton and Wheeling. Thence he proceeded to Pittsburg and journeyed rapidly to Washington. Rosecrans had proven himself to be an able man. To him Government was willing to confide the responsible trust of saving Western Virginia from the Confederates and the blind fury of Governor Letcher. The loyal efforts for reorganizing the State called for the exercise, by the enemy, of all available resources to save the dismemberment of Virginia, and Rosecrans soon found that the second campaign on the line of the Kanawha would claim vigilance, activity, sagacity and bravery which had not yet been demanded of that command.



## CHAPTER XX.

### THE WHEELING CONVENTION. REORGANIZATION OF THE STATE (VIRGINIA) BY THE LOYALISTS

Movements of the  
Loyalists.

AN uprising of the loyal  
element in Western Vir-  
ginia followed the reign of

tyranny inaugurated at Richmond. As already stated, [pages 149-151,] steps were taken by the inhabitants of the counties lying west of the Blue Ridge mountains, early in May (1861), to assert their legal rights. The various town meetings sent delegates to a preliminary Convention, which convened at Wheeling May 13th. A session of three days resulted in the appointment of a Central Committee of nine—who were instructed to issue an Address to the people setting forth the views of the Convention and preparing them for the independent movement determined upon. The resolutions adopted were strongly loyal to the Union in tone, and declaratory of a purpose to resist the revolution attempted, by demanding a separation from the Eastern section of the State. We may give place to the following, as illustrative of the spirit which animated the people:

“1. *Resolved*, That, in our deliberate judgment, the ordinance passed by the Convention of Virginia, on the 17th day of April, 1861, known as the Ordinance of Secession, by which said Convention undertook, in the name of the State of Virginia, to repeal the ratification of the Constitution of the United States by this State, and to resume all the rights and powers granted under said Constitution, is unconstitutional, null, and void.

“2. *Resolved*, That the schedule attached to the Ordinance of Secession, suspending and prohibiting the election of members of Congress for this State, is a manifest usurpation of power, to which we ought not to submit.

“3. *Resolved*, That the agreement of the 24th of April, 1861, between the Commissioners of the Confederate States and this State, and the Ordinance of the 25th of April, 1861, approving and ratifying said agreement, by which the whole military force and military operations, offensive and defensive, of this Commonwealth are placed under the chief

control and direction of the President of the Confederate States, upon the same principles, basis and footing as if the Commonwealth were now a member of said Confederacy, and all the acts of the executive officers of our State in pursuance of said agreement and Ordinance, are plain and palpable violations of the Constitution of the United States, and are utterly subversive of the rights and liberties of the people of Virginia.

“4. *Resolved*, That we earnestly urge and entreat the citizens of the State everywhere, but more especially in the western section, to be prompt at the polls on the 23d instant; and to impress upon every voter the duty of voting in condemnation of the Ordinance of Secession, in the hope that we may not be involved in the ruin to be occasioned by its adoption, and with the view to demonstrate the position of the West on the question of Secession.

“5. *Resolved*, That we earnestly recommend to the citizens of Western Virginia to vote for members of the Congress of the United States and the State of Virginia.

“6. *Resolved*. That we also recommend to the citizens of the several counties to vote at said election for such persons as entertain the opinions expressed in the foregoing resolutions for members of the Senate and House of Delegates of our State.

“7. *Resolved*, That in view of the geographical, social, commercial and industrial interests of Northwestern Virginia, this Convention are constrained in giving expression to the opinion of their constituents to declare that the Virginia Convention in assuming to change the relation of the State of Virginia to the Federal Government have not only acted unwisely and unconstitutionally, but have adopted a policy utterly ruinous to all the material interests of our section, severing all our social ties, and drying up all the channels of our trade and prosperity.

“8. *Resolved*, That in the event of the Ordinance of Secession being ratified by a vote, we recommend to the people of the counties here represented, and all others disposed to co-operate with us, to appoint on the 4th day of June, 1861, delegates to a General Convention, to meet on the 11th of that month, at

Movements of the  
Loyalists.



such place as may be designated by the Committee hereinafter provided, to devise such measures and take such action as the safety and welfare of the people they represent may demand—each county to appoint a number of Representatives to said Convention equal to double the number to which it will be entitled in the next House of Delegates; and the Senators and Delegates to be elected on the 23d inst., by the counties referred to, to the next General Assembly of Virginia, and who concur in the views of this Convention, to be entitled to seats in the said Convention as members thereof."

Several others were adopted expressive of their wishes and purposes, and calculated to forward the movement inaugurated.

Address to the  
People.

The Address proposed by the Committee was a paper for the crisis. It adjured the people to enter at once upon the great work to be done, to prepare for the struggle at hand with treason. "Why should the people of Northwestern Virginia," they said, "allow themselves to be dragged into the rebellion inaugurated by ambitious and heartless men, who have banded themselves together to destroy a Government formed for you by your patriot fathers, and which has secured to you all the liberties consistent with the nature of man, and has, for near three-fourths of a century, sheltered you in sunshine and in storm, made you the admiration of the civilized world, and conferred upon you a title more honored, respected and revered, than that of king or potentate—the title of an American citizen. Will you passively surrender it, and submit to be used by the conspirators engaged in this effort to enslave you as their instruments by which your enslavement is to be effected?"

The question of secession was considered. Local feeling against the domineering Eastern section of the State added keenness to their invective against the conspirators who aimed to render Virginia the battle-ground. "Why should we thus permit ourselves to be tyrannized over and made slaves of by the haughty arrogance and wicked machinations of would-be Eastern despots? Are we submissionists, craven cowards, who will yield to daring ambition the rich legacy of Freedom which we have inherited from our fathers, or are we men who know our rights, and

knowing, dare maintain them? If we are, we will resist the usurpers, and drive from our midst the rebellion sought to be forced upon us. We will, in the strength of our cause, resolutely and determinedly stand by our rights and our liberties, secured to us by the struggles of our Revolutionary Fathers, and the authors of the Constitution under which we have grown and prospered beyond all precedent in the world's history. We will maintain, protect, and defend that Constitution and the Union with all our strength, and with all our powers, ever remembering that 'Resistance to tyrants is obedience to God.'"

Address to the  
People.

The Convention arranged for by the primary Convention, to be held on the 11th of June, was referred to as demanding for its members the most resolute, temperate and wise of the people for its delegates; and the voters were besought to give their hearts and hands, souls to the work of representation. The document closed:

"*Fellow-citizens of Northwestern Virginia:* The issue is with you. Your destiny is in your own hands. If you are worthy descendants of worthsires, you will rally to the defense of your liberties and the Constitution, which has protected and blessed you, will still extend over you its protecting ægis. If you hesitate or falter, all is lost, and you and your children, to the latest posterity, are destined to perpetual slavery."

This was signed by the entire Committee. Its wide circulation produced an exciting canvass of the whole question of National and State relations. Day by day the feeling of loyalty gained in strength and solidity, aided by the presence of Federal arms, which had driven the emissaries of despotism from much of the northern section of the State.

Judge Thompson—whose charge to the Grand Jury defining treason we have already referred to (page 151)—followed the address by a proclamation ordering the dispersion of armed rebels and disloyal combinations. The Judge spoke as a justice of the bench, fully resolved upon preserving the peace, order and course of justice in the circuit over which he presided. His words were those of a wise and resolute man.

Judge Thompson's  
Proclamation.



Judge Thompson's  
Proclamation.

—willing to do justice  
even to those who pro-  
nounced themselves ene-

mies of the old Government. Among other arguments put with telling force against the eastern section of the State, and the Secessionists, who threatened to subjugate the western section in event of its refusal to accede to the revolution, was this:

"To those citizens in Western Virginia who claim the right of secession, in like manner I appeal to lay down their arms against their brethren and fathers, and to submit to the judgment and wish of their own people, in so large a portion of the State as West Virginia. If it is right for one portion of the people in mass to violate or set aside the Constitution, so as to free themselves from political intercourse with other portions of the people of the United States, surely it should be permitted to so large a body of people as West Virginia, exercising their sovereignty in a lawful manner under the Constitution and in support of the Constitution, to choose their destinies. This, at the late election, they have done in no equivocal manner. They should be permitted, and especially by you, their brethren, exercising with such unanimity this sovereign and constitutional right, to stand by the Constitution and the laws in peace; to maintain the solemn integrity of the institutions under which they have grown and prospered. By this vote they have solemnly said they have no cause of revolution; they are satisfied; let them remain in peace. If you are dissatisfied, go in peace; go where you will have the support and sympathy of those whose cause you espouse; and in God's name, in the name of our ancient friendships and fireside relations, in the name of that peace, the skirts of whose robe will be dabbled in blood, if you remain in arms; in virtue of the holy ties of relationship, and for the preservation of whatever of Constitutions and the laws are left, while yet the ruin has not reached you and us; while the vengeance of civil war has not broken up all domestic ties, and the sword of private revenge has not crossed your own thresholds and sprinkled it with blood, and left your homes and your households in ruin; by all the solemn memories of the past and the obligations of the present to recognize the wishes of the people of West Virginia to seek their own happiness and welfare in a lawful and peaceful manner; in the solemn majesty of those laws, and in a higher appeal of justice and the cry, depart, depart in peace, and give not up West Virginia, which otherwise will remain in safety, if not repose, to the horrors of a terrible war. With such a large majority, neither Eastern Virginia nor the South will be disposed to coerce

us to their own local and peculiar policy. With such a position as West Virginia occupies, separated by vast mountain ranges from Old Virginia, accessible to the whole West and the whole North, the whole will be a unit in our defense. West Virginia never can be coerced or conquered. Her streams may run blood and her households may be desolated, and if this shall be so, it will be the work of those in West Virginia who remain in arms to oppose and resist the wishes of the majority of her people. Retire, disband, and let us alone in peace, under the Constitution and the laws, and do not require those laws and Constitution to be maintained here at this mighty sacrifice."

This strong document assisted materially in consolidating the Union sentiment: applying the peculiar philosophy of secession, the Western portion of the Commonwealth had a *right* to a separate organization if it so willed. Immediately the sentiment of separation became paramount; and the election (June 4th) of delegates to the Convention of June 11th, resulted in the choice of such representatives as the Committee had called for—brave, discreet and loyal men.

The Convention assembled at Wheeling on the 11th, and proceeded to

Assemblage of the  
Wheeling Convention.

business on the day following. Forty counties were represented, in the proportion of their representation in the State Legislature. Arthur J. Boreman, of Wood county, was chosen permanent chairman, and delivered an address which gave the key-note to the proceedings to follow. It was patriotic, loyal and firm. The programme arranged for action contemplated the organization of a Provisional Government for the State; the deposition of the old State authorities, and the entire reorganization of the Municipal branches. On the second day of the session a resolution was introduced and *unanimously* adopted, thanking General McClellan for 'invading' Virginia, commending the bravery of the gallant Colonel Kelley and his regiment, &c., &c. The Committee on Business, through its chairman, John S. Carlisle, reported on the 13th, a Declaration, reviewing the unhappy condition of the State, setting forth the usurpations of the Richmond Convention, offering a bill of rights, repudiating allegiance to the Southern Confederacy, and vacating the offices of all who adhered to it, whether legis-



lative or judicial. The reading of this was listened to with profound interest, not a dissenting opinion being expressed. It was

Proceedings of the  
Wheeling Convention.

made the special order for the 14th. Various other resolves were sprung—all proving the feverish anxiety of the members for action. In the debate which followed, on the Declaration, Mr. Dorsey of Monongahela, took strong grounds for an immediate division of the State. Mr. Carlisle took the ground that Congress, at the coming session, would not be likely to recognize the division (which recognition was necessary) until the rebellion in the Southern States was put down, the object of Congress being to restore every original State to the Union. Congress would recognize the Provisional Legislature, and with the consent of the Legislature and Congress, separation could be effected at an early day. This view did not disconcert those members who were for immediate division of the State and its admission to the Union as the State of Kanawha.

An ordinance was reported, on the 14th, from the Business Committee, reorganizing the State, vacating the seats of all State officers in rebellion against the United States; providing for a provisional government and for the election of officers; also providing that the State, county and municipal officers immediately take the oath of allegiance to the United States. This was made the special order for June 19th.

It was announced, on the 14th, that five hundred stand of arms had arrived at Wheeling, as a loan from old Massachusetts, to arm the Home Guards—that fifteen hundred more were on their way—an item of news which sent a thrill of patriotic joy through the assembly.

Mr. Dorsey, above referred to, brought forward his Declaration of Independence (June 17th) looking to a division of the State. It was supported by Pierpont and others, and, after an interesting debate was adopted *unanimously*. This Declaration was signed on the 20th, by fifty-six members—the same number attached to the glorious instrument of 1776.

On the 18th, Mr. Farnsworth, of Upshur county, offered a resolution that, one of the

leading objects of the Convention, after the establishment of a Provisional Government, was to provide for the separation of Western from Eastern Virginia. This, after a warm contest, was adopted by a vote of fifty-seven to seventeen.

The 19th being set apart for the consideration of the Ordinance of Reorganization, the Convention proceeded with the important discussion. It was finally passed, nearly as it came from the Committee. It provided—

Proceedings, &c.

1st. For the appointment by the Committee of a Governor and Lieutenant-Governor, to act until their successors should be duly elected.

2d. For a Council of Five, to be appointed by the Convention, to act as advisers with the Governor, and to aid in executing his official orders.

3d. For the recognition, as the Legislature, of those members elected to the State General Assembly May 23d, 1861, who should subscribe to and qualify themselves by taking the oath or affirmation prescribed.\*

4th. Defined the oath and provided that all State officers, Legislators, Judges, Clerks, Sheriffs, Commissioners, Justices, &c., should take or subscribe to it before being qualified to discharge the duties of their office.

5th. Declared all offices vacant of those who refused to take oath, and provided for an election to fill the vacancy.

\* The oath adopted read as follows :

*"State of Virginia, Ohio County, ss. :*

*"Before the subscriber, a Justice of the Peace for the county aforesaid, this day in my said county, came A. B., and took and subscribed the following oath :*

*" 'I, A. B., solemnly swear that I will support the Constitution of the United States, and the laws made in pursuance thereof, as the supreme law of the land, anything in the Constitution and laws of the State of Virginia, or in the ordinances of the Convention which assembled at Richmond on the 13th of February, 1861, to the contrary notwithstanding : And that I will uphold and defend the Government of Virginia as vindicated and restored by the Convention which assembled at Wheeling on the eleventh day of June, 1861.*

A. B.'

*"Given under my hand, this 5th day of July, 1861.*

*"J. P."*



On the 20th the Western Virginia Declaration of Independence was signed. It was an impressive scene. The roll was called by counties, and each member came forward to the Secretary's desk and signed the parchment.

In the afternoon, Frank H. Pierpont, of Marion county, was unanimously elected Governor; Daniel Palsley, of Mason county, Lieutenant-Governor, and Messrs. Lamb, Paxhaw, Van Winkle, Harrison and Lazar to form the Governor's Council. The election of an Attorney-General was postponed.

The Governor was formally inaugurated during the afternoon, when he delivered his Inaugural Address. It was brief but patriotic, calling upon the people and their representatives to be firm, while he himself promised to be true to the great trust reposed in him.

The new Government, now fully launched upon the sea of trouble, moved forward with a firmness, a prudence, a foresight which did not fail to command the approbation of the President of the United States and of all loyal people. In that reorganization was the germ of Virginia's regeneration and restoration to the Union.

Address of the Convention.

On the 24th, a Committee, (of seventeen,) previously appointed, reported

an address to the people, explaining and justifying the acts of the Convention. The address, at considerable length, sketched the history of late events in Virginia, reciting the infamous course of procedure in the Richmond Convention, by which the State was forced out of the Union — how the whole thing was done in secret session, against the protests of more than one third of the members present. "Up to this day," said the address, "the debates which preceded the vote are concealed from the people, who are thus denied a knowledge of the causes which, in the opinion of the majority, rendered secession necessary and justified so gross a disregard of their lately expressed will." But, even though thus illegally passed, the Ordinance had no effect until ratified at the polls by the people. Yet, prior to that ratification, open violence and acts of treason were committed, to which the address referred, as evi-

dence of the substitution of a tyranny for the voice of the people. "This bold assumption of authority," it said, "was followed

Address of the Convention.

by numerous acts of hostility against the United States, by the levy of troops to aid in the capture of the National Capital and the subversion of the National authority; and, to crown the infamy of the conspirators, with whom the Executive had now coalesced, by an attempt, without even the pretense of the authority or acquiescence of the people, to transfer their allegiance from the United States to a league of rebellious States, in arms against the former." The document then proceeded to cite the incidents of the mock-voting on the Ordinance—how Judges charged Grand Juries that opposition to the revolution would be punished as treason to the State—how "armed partisans of the conspirators in various places arrested, plundered and exiled peaceable citizens for no other crime than their adherence to the Union."

These and other causes led loyal Virginians to resent the outrages, the indignities, the usurpations heaped upon them, and the movement inaugurated resulted in the calling of a Convention to legislate a new Government into existence, under which they might find protection and retain their old relations to the Federal Government. The question of the right of secession was referred to only to be denounced. Only the *people* of the *United States* could dissolve the compact of the Union. "The ratification of the Constitution of the United States by our own Commonwealth, in express terms, reserves the right to abrogate it to those by whom it was made, the people of the United States; thus repudiating in advance the modern doctrine of separate State secession. This is in strict accordance with the views of our elder statesmen, whose patriotism and ability are held in reverence, not only by us and by our fellow-citizens of the Union, but by good men throughout the world. It is the logic of every honest heart, that a contract, a compact, or call it what you will, can only be set aside by the joint act of those by whom it was made." This strong argument was followed by others, proving the impolicy of secession even if a right existed; and, partic-



ularly relating to the condition of Western Virginia, the address assumed that every interest of peace, prosperity, progress, patriotism, remonstrated against a severance of the tie which bound the State to the Union.

There was, then, under the circumstances, but one course to pursue—to call a Convention and to proceed in legislating the State back into its old relations with the Union. The address then stated, in general terms, the action taken by the Convention in the inauguration of a Provisional Government, the appointment of Provisional officers, &c., adding that, to the General Assembly (Legislature) soon to assemble at the Governor's call, would revert the power and duty of such other action as was necessary. All loyal sections of the State not represented in the Legislature and Convention were called upon to hold special elections to fill such vacancies

—writs for such elections to be issued by the Governor. The document closed with an appeal to the people to stand by the Union—to sustain, unflinchingly, their new Government—to prosecute the war against the “perjured oligarchy who has usurped your Government and has sold you to the ambitious despots of an unholy affiliation.”

The Convention adjourned June 25th, to meet on the 1st Tuesday in August.

Adjournment of the Convention.

Governor Pierpont, on the 22d of June, issued his proclamation assembling the General Assembly at Wheeling, on the 1st of July—on which day it came together, most of the counties west of the Blue Ridge being then, or soon after, represented. It proceeded to legislate for, and to vitalize, the new Government, so that it soon found itself in a self-sustaining, independent condition.

## CHAPTER XXI.

### THE CAMPAIGN OF THE UPPER POTOMAC.

The Chambersburg Camp.

MAJOR-GENERAL of Volunteers, Robert Patterson, assumed command of the troops gathered in camp at Chambersburg. The enemy being in possession of Harper's Ferry, menaced Southern Pennsylvania and Maryland by their presence. The Chambersburg camp was first formed with reference to covering the endangered section; but became the centre of movements against the Confederates when Scott arranged for the Federal advance into Virginia.

June 3d Patterson issued his proclamation announcing the forward movement. The document, like that issued by McClellan, enjoined upon the soldiers respect for private property, protection to the loyal, and, should occasion offer, the troops were to suppress

any servile insurrections.

In its language the document was patriotic, and

Patterson's First Proclamation.

was decidedly against treason and its abettors.\* The troops then addressed consisted of ten regiments of infantry, five hundred dragoons, all finely equipped and quite thoroughly armed, with Captain Doubleday's and Seymour's batteries of flying artillery, *in esse*.

The march was taken up on the morning of June 7th—Brigadier-General Thomas division on the advance. Supporting movements were made from the east, by General Stone's column, which started for Edwards

\* This is especially remarked, since General Patterson had been charged with lukewarmness in the cause, and, by some papers, had been pronounced actually disloyal.



## The Combined Movement.

Ferry, *via* Tenallytown and Rockville. [Edwards' Ferry is on the Potomac, about half-way between Washington and Harper's Ferry.] Colonel Lewis Wallace, with his Indiana Zouaves, took possession of Cumberland on the 9th of June.

## Bridges Destroyed.

These forward and combined movements from the front added to the rapid concentration of McClellan's forces to press the enemy's flank, compelled Johnston—the rebel General in command of the Winchester District—to retire from his advance. He burned the bridges at Point of Rocks and Berlin on the Potomac, on the morning of June 7th. The same day a detachment of troops from Leesburg moved down upon the line of the Alexandria, Loudon and Hampshire Railroad, destroying bridges at Tuscarora, Lycoline, Goose Creek and Beaver Dam.

## Dash at Romney.

Colonel Wallace made a sudden dash on the 11th upon Romney, Virginia, which was held by a regiment of Virginia cavalry. The surprise was complete. Though the enemy fought with some spirit, the Zouaves soon sent them flying. Two of the rebels were found dead on the field. Stores, ammunition, arms and horses to a considerable amount were seized, with which the Indianians returned to Cumberland.

## Harper's Ferry Evacuated.

This sudden sally upon his left hastened Johnston's movements. Harper's Ferry was evacuated June 13th and 14th. Everything was destroyed in the shape of immovable property, including some stores and heavy guns. The superb railway bridge over the Potomac and the Winchester span were given to the flames, and the piers shattered with powder. The old Government armory, shops, &c., were consumed—the fine machinery having previously been removed to Richmond. The railroad bridges at Martinsburg and Capen river, the "Pillar" bridge and the turnpike bridge over the Potomac at Shepardstown, were also destroyed. Canal dams, locks and embankments were, for miles, rendered useless. The enemy fell back in two columns, one upon Winchester and one towards Leesburg—points from which to

watch and annoy the Federal advance. The Confederate army left only ruin and desolation in its track.

Patterson took up his head-quarters at Hagerstown June 14th. The army

The Federal Army.

under his direct command at that date numbered about twenty-one thousand men, though it soon was increased by troops from Wisconsin, Connecticut and Pennsylvania. It was organized as follows:

## FIRST DIVISION.

Brevet Major-General George Cadwalader commanding, consisting of First, Third and Fourth brigades.

First brigade, Colonel George H. Thomas, Second U. S. cavalry, commanding.

Third brigade, Brigadier-General E. C. Williams, commanding.

Fourth brigade, Colonel Dixon S. Miles, Second U. S. infantry, commanding.

## SECOND DIVISION.

Major-General Wm. H. Keim commanding, consisting of Second and Fifth brigades.

Second brigade, Brigadier-General Geo. C. Wynkoop, commanding.

Fifth brigade, Brigadier-General Jas. S. Negley, commanding.

## FIRST BRIGADE.

Cavalry, four companies U. S., and First Philadelphia city troops, Captain James, commanding.

Captain Doubleday's battalion of artillery and infantry.

First Rhode Island regiment and battery, Colonel Burnside, commanding.

Sixth regiment Pennsylvania volunteers, Colonel Nagle.

Twenty-First regiment Pennsylvania volunteers, Colonel Ballier.

Twenty-Third regiment Pennsylvania volunteers, Colonel Dare.

## SECOND BRIGADE.

First regiment Pennsylvania volunteers, Colonel Yohe.

Second regiment Pennsylvania volunteers, Colonel Staumbaugh.

Third regiment Pennsylvania volunteers, Colonel Minier.

Twenty-Fourth regiment Pennsylvania volunteers, Colonel Owen.

## THIRD BRIGADE.

Seventh regiment Pennsylvania volunteers, Colonel Irwin.

Eighth regiment Pennsylvania volunteers, Colonel Emley.

Tenth regiment Pennsylvania volunteers, Colonel Meredith.

Twentieth regiment Pennsylvania volunteers, Colonel Gray.

## FOURTH BRIGADE.

Second and Third U. S. infantry, Major Sheppard.

Ninth regiment Pennsylvania volunteers, Colonel Longnecker.

Thirteenth regiment Pennsylvania volunteers, Colonel Rowley.

Sixteenth regiment Pennsylvania volunteers, Colonel Zeigle.

## FIFTH BRIGADE.

Fourteenth regiment Pennsylvania volunteers, Colonel Johnston.

Fifteenth regiment Pennsylvania volunteers, Colonel Oakford.



Eleventh regiment Pennsylvania volunteers, Colonel Jarrett.  
First regiment Wisconsin volunteers, Colonel Starkweather.  
Fourth regiment Connecticut volunteers, Colonel Woodhouse.

A Sixth brigade was afterwards (June 23d) added, composed of three regiments from the Fifth brigade, (the last three named,) and U. S. infantry and a battery. This was given to Brigadier-General Abercrombie. General Negley's brigade was filled up with newly arrived Western regiments.

Crossing the  
Potomac.

The First brigade, General Thomas, moved direct upon Williamsport, crossing the Potomac at that point, by wading, on the morning of the 16th. This passage was made as preparatory to the march upon Martinsburg, where, it was understood, the enemy still lingered. General Cadwalader's division moved over the river at the same point shortly after the passage by Thomas. Governor Sprague accompanied the Rhode Island battery. General Williams' brigade encamped at Williamsport on the afternoon of the 16th. Governor Hicks, of Maryland, was with Patterson during the 16th, and co-operated with the General in making the disposition.

Retrograde Move-  
ments.

These movements were countermanded, however, by the Commanding-General, and the several brigades recrossed the Potomac on the 18th, encamping at Williamsport. Their disposition was then materially changed—the Rhode Island regiment, (Colonel Burnside,) the Rhode Island battery, and all the U. S. regulars of Thomas' brigade, being ordered on to Washington. Patterson's position at Hagerstown, for the moment, remained unchanged. The rebels, taking heart at this counter movement, again infested the opposite banks of the Potomac, in large bodies. A troop of three hundred revisited Harper's Ferry to render more complete their work of destruction. Everywhere Union men who had not already fled were seized and carried off within the Confederate lines. Terror sat enthroned throughout that lately peaceful and prosperous land. Treason had made good its words,\* to transfer the

\* "The people of the Gulf States need have no apprehension; they might go on with their planting and their other business as usual; the war would not come to their section: its *theatre would be along the borders of the Ohio River and in Virginia.*"—Howell Cobb's Speech.

seat of war to the Potomac. Thenceforward it was to become the abode of desolation, its hills and valleys to echo with the tramp of armed hosts, and the blood of men to crimson all its streams.

Cadwalader, with six thousand men, remained at Williamsport, whose

Williamsport  
menaced.

heights he fortified. Johnston soon pressed down upon the river at that point. General Jackson (rebel) occupied the peninsula in strong force, with reserves distributed along the approaches. Reinforcements direct from Richmond were sent to Winchester, which point the Confederates had resolved to retain. Harper's Ferry they evacuated, the Richmond press stated, because it was "a mere trap too dangerous to hold."

The withdrawal of the Federal forces was stated to have been a strategic movement ordered by Scott, designed to draw the rebel main body from its concentration toward Williamsport, thus to aid McClellan's movements toward Romney, while Patterson could move the more readily over the river at a point below Williamsport.

Patterson, however, explicitly stated [see his defense given in the Appendix] that the retrograde was ordered *because* Scott had not made the demonstration *promised* toward Manassas; but had, on the other hand, ordered him (Patterson) to send to Washington, at once, all the regulars, horse and foot, and the Rhode Island regiment and battery, with further command for him (Patterson) to keep within his then limits, &c.

Patterson's Tardi-  
ness.

Patterson, in the document referred to, gives a somewhat detailed statement of his manœuvres and movements up to and his final occupation of Harper's Ferry. It was not until the morning of July 2d that the Potomac was again crossed. Williamsport again was chosen as the point—why, is not explained. The troops consisted of the following regiments, now brigaded and reorganized anew:

#### FIRST DIVISION.

Brevet Major-General George Cadwalader, commanding consisting of First, Third and Fourth brigades.

#### FIRST BRIGADE.

Colonel George H. Thomas, Second U. S. cavalry, commanding, consisting of four companies U. S. cavalry and



Patterson's Command. First Philadelphia city troops, Captain James; battalion of artillery and infantry, Major Doubleday; First Rhode Island regiment and battery, Colonel Burnside; Sixth Pennsylvania regiment, Colonel Nagle; Twenty-first Pennsylvania regiment, Colonel Ballier; Twenty-third do., Colonel Dare.

## THIRD BRIGADE.

Brigadier-General E. C. Williams, commanding, consisting of Seventh regiment Pennsylvania volunteers, Colonel Irwin; Eighth do., Colonel Emley; Tenth do., Colonel Meredith; Twentieth (Scott Legion) do., Colonel Gray.

## FOURTH BRIGADE.

Colonel D. S. Miles, U. S. infantry, commanding, consisting of Second and Third U. S. infantry, Major Sheppard; Ninth Pennsylvania regiment, Colonel Longnecker; Thirteenth do., Colonel Rowley; Sixteenth do., Colonel Zeigle.

## SECOND DIVISION.

Major-General William H. Keim, commanding, consisting of the Second and Fifth brigades.

## SECOND BRIGADE.

Brigadier-General G. C. Wynkoop, commanding, consisting of First Pennsylvania regiment, Colonel Yohe; Second do., Colonel Stambaugh; Fourth do., Colonel Minier; Twenty-fourth do., Colonel Owen.

## FIFTH BRIGADE.

Brigadier-General Negley, commanding, consisting of Fourteenth Pennsylvania regiment, Colonel Johnston; Fifteenth do., Colonel Oakford.

## SIXTH BRIGADE.

Colonel Abercrombie, commanding, consisting of First Wisconsin regiment, Colonel Starkweather; Fourth Connecticut regiment, Colonel Woodhouse; Eleventh Pennsylvania regiment, Colonel Jarrett; and probably Major Doubleday's artillery will be attached.

The change noticeable in this reorganization shows how temporary was every order—how illy defined were the movements of the army, and how imperfectly means were adapted to ends. Here was a large body of men moving with an imperfectly defined object into an enemy's country, having only *six* guns. The strength and disposition of the enemy apparently were unknown, and, by Patterson's own confession, no special point of attack or plan of campaign had been definitively arranged in his own mind. Patterson had men enough for bold, dashing, effective work; and such work, without detailed orders, Scott evidently expected him to perform—leaving to the General commanding, to a great degree, the duty of finding his own equipments, providing his own transportation, creating his own depots of supplies, organizing his own reserves from reenforcements to be had for the asking. He must, of course, have assumed some responsibility; but, that he was, in the very nature

of things, expected to do, having Governor Curtin and Governor Hicks for his support. The fact that he had in his front an active, vigilant and determined antagonist, should have made him self-reliant, quick to strike, tenacious to hold, and ready for any emergency. Scott and the Secretary of War would have offered little opposition to a campaign thus waged; and, such a campaign they positively enjoined.

The first attempt at a second advance was made at Sheppard's Ford, two

The Second Crossing  
of the Potomac.

miles below dam No. 4. The tow-path was cut down for the easy passage of the men, baggage and guns; the opposite bank was attained by the advance companies, when it was discovered that the ascent into Virginia territory was there too steep to be practicable. The troops therefore all marched back again and took up a position around Williamsport: from whence they advanced early on the morning of July 2d. No opposition was offered until the three brigades of Abercrombie, Thomas and Negley had crossed. The enemy, under General Jackson, were in good position on the Peninsula, at Porterfield's farm, near Haynesville. There they received the Federal assault, which was made by Abercrombie with

the First Wisconsin and Eleventh Pennsylvania with

Fight Near Martins-  
burg.

such spirit that, after a sharp but brief contest, Jackson's men fell back toward Martinsburg, and soon retreated to Bunker Hill—twelve miles toward Winchester. Patterson then asked for reenforcements to follow up his blow by an advance upon Winchester, where Johnston was understood to be in strong force—say fifteen thousand men, with proper artillery. Pending the arrival of reenforcements, Martinsburg was occupied, while the advance brigades pushed out for several miles beyond, on the Winchester road. These were afterwards withdrawn to Martinsburg, and the army kept in close order, apprehending, as Patterson did, a visitation from Jackson and Johnston. The rebel pickets pressed the Federal lines closely, and picket skirmishes became frequent.

Reenforcements began to reach Martinsburg rapidly after the 7th of July, on which



Reenforcements.

day General Stone's column, about twenty-six hundred strong, reached Williamsport. It consisted of the Seventeenth Pennsylvania volunteers, (artillery,) Colonel F. E. Patterson; the Ninth New York regiment, Colonel Styles; the First New Hampshire regiment, Colonel Tappan, and a portion of the Twenty-fifth Pennsylvania regiment, Colonel Coke. The Nineteenth and Twenty-eighth New York soon followed. These forces were soon added to Patterson's division, giving him about twenty-five thousand men. The Rhode Island battery, detached by orders of Scott, was restored, and assumed its place in the brigade of Thomas. The First and Third Pennsylvania and the First Rhode Island also came forward and took their division positions.

An Advance Countermanded.

Orders for an advance were issued July 7th. The orders, as announced, were for a movement by two divisions—the First under Cadwalader to take the Winchester turnpike, the Second under Keim to take a parallel road a short distance further to the east. The First and Third Pennsylvania were to remain at Martinsburg as guard to the depot of stores. This advance was not made—why, we are left to surmise. Patterson, in his defense, stated that, on the 8th of July, a council of officers was called and an advance voted against. He said:

"Colonel Stone, the junior line officer, spoke twice and decidedly against an advance, advocating a direct movement to Shephardstown and Charlestown. All who spoke opposed an advance, and all voted against one. On the same day he informed the General-in-Chief of the condition of affairs in the valley, and proposed that he should go to Charlestown and occupy Harper's Ferry, and asked to be informed when he would attack Manassas. On the 12th he was directed to go where he had proposed, and informed that Manassas would be attacked on Tuesday, the 16th."

In this interval is written the history of the disaster to our arms at Bull Run. It was not in the power, nor province, of Patterson's subordinates to say whether or not an advance should be made. Their duty was to obey, and Patterson's duty was to fulfill orders from Washington, which were—*keep Johnston engaged*. Nothing more nor any-

thing less was required of him. Keep Johnston engaged that he should not reenforce Beauregard at Manassas. He offered no attack, pushed no material advance, made no feints to confuse and distribute the enemy who remained at Winchester and Bunker Hill closely compacted ready for any sudden movement that emergencies might require. These are the simple facts of the last twelve days of Patterson's campaign. They should have been days of great achievement. His troops, whose terms of enlistment expired on or near the 20th of July, panted for action, prayed for it, begged for it; yet the eager men, and no less eager officers, returned home, having seen no enemy. Only Abercrombie's two regiments, McMullin's rangers and Perkins' battery had "smelt powder." Such a waste of energy, of fine military force, of patriotic ardor, were enough to excite the storm of scorn and indignation which swept over the country after the General's failure became apparent.

Patterson's Continued Inaction.

The Richmond *Inquirer* of July 10th announced the withdrawal to Winchester of Johnston's force from Bunker Hill and the road to Martinsburg, giving as a chief reason that Patterson had intrenched himself behind the women and children of Martinsburg, whom he refused to send away at Johnston's request. A correspondent, writing from Martinsburg under date of July 14th stated other, and, unquestionably, the true reasons for the rebel retrograde: "It is said," he wrote, "that General Patterson believed that the retreat of the enemy is a mere ruse to draw him on; but, if Johnston succeeded in drawing our General into an ambushade he will have to draw harder than he ever before drew in his life. The truth, apparent to most observers, is, that Johnston considered this force too strong for him, which, according to all accounts of his strength, *it certainly is*, and, therefore, very properly retreated. There is *no* mystery in it; and, as for us, we can see no reason whatever to surmise an deep-laid plan to circumvent. It certainly is time to test that question." This, written as early as the 14th, when there yet was time to fall with crushing force on the enemy, or to keep him diverted, may be regarded as



the view of an observer who expressed the current army opinion.

July 13th a company of artillery and two of Doubleday's guns marched back to Williamsport—affording any prowling band of rebel scouts a fine opportunity to secure two good pieces of artillery. July 14th they marched back to Martinsburg. July 14th Negley's brigade, tired of its inaction, obtained leave to move off toward Harper's Ferry, to occupy that deserted and ruined position. It was accompanied by one battery of light artillery.

Forward!

July 17th the quiet at Bunker Hill (occupied after Johnston's withdrawal to Winchester) was broken by the long looked-for order—*forward!* The men exultingly flew to arms. Those whose three months' term had nearly or quite expired thought no more of a return home, but readily joined in the movement. They were only too rejoiced to "earn a little glory" before disbandment.\* *Forward!* The quick response, the shouts of pleasure, the songs, the rapid striking of tents, packing of knapsacks, deployment into brigade line proved to the commanding officer, if proof were wanting, that, to take Winchester, he only had to *lead*.

Charlestown  
occupied.

"Forward! file *left!*"

ran along the ranks. The

Winchester road was de-

serted and left far to the right. Away the ranks moved and teams followed, to the east, along the road to Charlestown. Winchester was *not* to be assailed, and the troops again were to be baffled in their hope. Murmurs, curses, threats in sub-tones ran along the lines. The hilarity was all gone. The music ceased to play. The hot tramp became monotonous. From the ardor of soldierly emulation to the indifference of listlessness the change had been complete. Charlestown was occupied at noon (17th), without opposition. Colonel Yohe, with the First Pennsylvania from Martinsburg, conducting the provision train from thence, came into Charlestown on the 18th.

\* The General, in his defense, makes a strong point of his lack of confidence in his troops, who, he states, were *unwilling* to tarry over their time, &c. It is proven by a multitude of witnesses that the men were chagrined at *inaction*, not disinclined to over-service if it would show them the enemy.

The object of this movement was thus stated by one apparently properly informed:

"The deflection towards this place is doubtless based upon the idea that, to continue overland transportation from Hagerstown by way of Williamsport and Martinsburg towards Winchester, a distance of forty-one miles, would require too heavy a force to guard the route. By seizing upon this point General Patterson obtains possession of the Winchester and Potomac Railroad from this point to Harper's Ferry, and however limited its capacity may be for transportation, it will save the wear and tear and delay attendant on the slow movements of a couple of hundred wagons. Besides, all necessary supplies can be brought by the Baltimore and Ohio road from Baltimore to Sandy Hook, one mile from the ferry. By taking this *matériel* of war one mile up the Chesapeake and Ohio canal they can be taken across the breast of the Government dam, or, indeed, most of them can be boated or cross in scows to the wharf just above the desolate looking piers of the burnt railroad bridge. Thus a nearer and more certain base of supplies is had and a most essential element of success. Moreover, a larger amount of men can be thrown forward from here to the point where the real battle is to be fought."

All of which, as well as Patterson's own version of his movements, failed to convince the public that that studied avoidance of the enemy accomplished anything but the defeat of the entire object of the expedition and the loss of our movement against Manassas. From Charlestown he hastily fell back upon Harper's Ferry, with his entire force, after the Bull Run disaster.

He learned, he so stated, that Johnston started on the 20th in a southeasterly direction, with thirty-five thousand troops and a large artillery force. This left him no enemy to fight, except the guerrillas; but, the news reaching him on the 22d, that all had been lost by Johnston's reenforcement of Beauregard, the order to evacuate Charlestown and Martinsburg was soon given, and the army was hurried to Harper's Ferry.

Patterson was superseded July 25th, by Major-General Banks, who was relieved of the command at Baltimore to assume the responsible duty of averting the impending disaster to the army at Harper's Ferry, whither the rebels were then pressing. He arrived at the Ferry to find a fast disin-

Failure of the  
Campaign.

Banks Supersedes  
Patterson.



tegrating and dissatisfied army awaiting his command. Patterson immediately withdrew, not tarrying even a few hours after Banks' assumption of the command. His absence was not a matter of concern.

If we have commented on this campaign with some severity, it is because a careful examination of the voluminous evidence offered in regard to its conduct has failed to produce any satisfactory excuse for the inefficiency which characterized it at almost every step. The archives of the War Department may exonerate Patterson, and may fix upon General Scott the blame which Patterson plainly

imputed to the old chief; but, the public will be slow to believe such imputations, without the corroborative evidence of official documents. The evidence cited by Mr. Chandler of Michigan, in his Military *Expose*, made before the U. S. Senate July 16th, is, apparently, conclusive on the points raised—of Patterson's responsibility for the defeat of McDowell at Bull Run; and, it is not probable any evidence is in existence to disprove the plain statements before the Committee of Investigation which made the defeat a subject of inquiry. [See Appendix, page 494, for Chandler's citations, see also page 271.]

## HISTORICAL SUMMARY OF EVENTS,—No. 5

FROM JULY 4TH, 1861, TO NOVEMBER 1ST, 1861.

*July 4.*—Extra session of the Federal Congress. Eleven (seceded) States not represented excepting one Senator (Andrew Johnson) from Tennessee, and three Representatives from Virginia. Twenty-three States represented, whose constituencies number nearly *five-sixths* of the voters in the United States.

*July 5.*—The President's Message delivered. It called for four hundred thousand volunteers and four hundred millions of dollars to suppress the rebellion. The "opposition" in Congress reduced to six Senators and five Representatives.

—Battle of Carthage, Mo. Colonel Siegel, in scouting with 1,100 men, encountered the combined commands of Price, Governor Jackson, Generals Rains and Parsons. Siegel retired slowly, "punishing" the enemy seriously, until they desisted from the pursuit. Rebel loss, 80 killed and 110 wounded. Union loss, 13 killed and 31 wounded.

*July 6.*—Department of the West created, and Fremont placed in command.

—Desperate dash at Middle York bridge, Va. Forty-five men of the Third Ohio, on a scout, cut their way through 250 rebels.

*July 8.*—Skirmish at Bird's Point, Mo. Rebel loss, 3 killed and 8 wounded.—Rebels routed at Bealington, Va.—Rebel camp at Florida, Mo., broken up.

—Arrival of a flag of truce from Jefferson Davis, covering a bearer of dispatches to President Lincoln. The dispatches consist of a letter threatening retaliation if any "privateer" is hung.

*July 10.*—Battle of Laurel Hill, Va. McClellan advance meets and drives in Pegram's outposts. The fight lasts for several hours—the Ohio Fourteenth and Indiana Ninth being engaged. Only one Union soldier killed. The rebels routed.—Sharp fight at Monroe Station Mo. The rebels driven off. Seventy-five prisoners and one gun secured.

*July 11.*—Battle of Rich Mountain, Va., two miles east of Roaring Run. Colonel Pegram entrenched with 800 troops, is assaulted by a section of McClellan's forces, under General Rosecrans, composed of portions of the Eighth, Tenth and Thirteenth Indiana, and Nineteenth Ohio regiments. By cutting a road over a difficult country, the enemy was flanked and surprised. A stubborn fight followed, when the rebels retreated with a loss of 60 killed, many prisoners and wounded, and all his camp equipage &c. Union loss, 11 killed and 35 wounded.

—The U. S. Senate expelled from that body the members from Virginia, North Carolina, Texas, Arkansas and Nicholson from Tennessee.

*July 12.*—Surrender to McClellan of Colonel Pegram and 600 troops, at Beverly, together with cannon, tents, stores, &c.

—The rebels routed at Barboursville, Va.—Skirmish near Newport News. Union scouts (12) captured by the rebels.

*July 13.*—General Garnett forced to a stand near St. George, Va., (at Carricksford,) by McClellan's advance, under General Morris and Captain Beahm. In the conflict which followed, Garnett was



killed and his forces routed, Rebel loss, 200 killed and wounded, and a large number of prisoners. Union loss, 13 killed and 40 wounded.

—Jno. B. Clark, from third district of Mo., expelled from the U. S. House of Representatives.

—Gallant fight at Barboursville, Va. Three companies of Colonel Woodruff's regiment (Second Kentucky) drove out six hundred of the enemy, strongly posted, at the bayonet's point.

**July 15.**—Skirmish at Bunker Hill, Va. The rebel cavalry (600) routed by Patterson's advance.

**July 16.**—Advance of the Army of the Potomac toward Centreville and Manassas.

**July 17.**—Skirmish at Fulton, Mo. Rebels driven back with loss.

—Fairfax Court House occupied by McDowell's advance.—Conflict at Scarytown. The Federals repulsed with a loss of thirty killed and wounded.

**July 18.**—First engagement of the advance at Blackburn Ford, on Bull Run. General Tyler encounters Beauregard's right advance in a strong position. After a sharp engagement, and acting under orders not to bring on an engagement, Tyler fell back to Centerville to await the coming up of the main body. Union loss, 19 killed, 38 wounded, 6 missing. Rebel loss, (Beauregard's report,) 15 killed, 53 wounded.

—General Patterson moves his entire army from Bunker Hill to Charleston, Va., thus leaving the main road to Winchester. Patterson is under orders to engage Johnston's forces at Winchester, to prevent him from reenforcing Beauregard. Patterson's movement to Charleston lets Johnston escape to reenforce the main body at Bull Run.

**July 19.**—General Banks ordered to supersede Patterson, whose failure to move direct against Winchester gives great dissatisfaction at headquarters. General Dix assumes Banks' command.

**July 20.**—The rebels under Wise retire up the Kanawha Valley, Va.

—The Confederate Congress assembles at Richmond. Intense anxiety prevails regarding the fate of the rebel army at Bull Run and Manassas. Johnston ordered to reenforce Beauregard.

**July 21.**—Battle of Bull Run. McDowell engages Beauregard with 27,000 troops, three miles from Manassas Junction. A desperate conflict of five hours' duration follows. The Unionists had nearly won the field, and Beauregard had decided to fall back on Manassas, when he was reenforced by Johnston's command from Winchester. This decided the day against the Federal army, which had not counted upon the possibility even of Patterson's allowing Johnston to escape from Winchester. The "army panic" seized the Unionists. They fled from the bloody field in disorder. Union loss, 479 killed, 1,911 wounded, 1,500 prisoners—most of the latter being too exhausted to leave the field, while some preferred capture to a disgraceful flight. Rebel loss, (Beauregard's report,) 269 killed, 1,483 wounded. The Unionists also lost 17 pieces of artillery, 150 boxes of small arms cartridges, 87 boxes of rifled cannon ammunition, 30 boxes of old fire arms, 13 wagons loaded with provisions, 2,500 muskets, 8,000 knapsacks, blankets, &c. The Unionists fell back upon the line of entrenchments on the Potomac, unpursued by the enemy.

**July 22.**—The Confederate Congress appoints a day of thanksgiving for the victory at Manassas.

—Major-General McClellan called to the command of the Army of the Potomac. Great excitement and indignation throughout the loyal States at McDowell's defeat.

—The Missouri State Convention reconvened.—Colonel Sweeny disperses a band of rebels at Forsyth, Mo., killing five of them.

**July 24.**—Lieutenant Crosby's successful dash up Rock river, Va. Nine vessels burned and one secured as a prize.

**July 25.**—McClellan arrives in Washington to find great demoralization existing in the army, consequent of the defeat at Bull Run, and the expiration of the terms of service of the first enlisted (three months) troops, who gradually return home.

—General Rosecrans assigned to the command of the "Army of Occupation of Western Virginia." McClellan's Department of the Ohio ceases to exist.

—General Cox occupies Charleston, Va. Wise retreats up the river.

—General Fremont arrives in St. Louis and takes command. General Banks arrives at Harper's Ferry and assumes command.

—Toombs, Confederate Secretary of State, resigns, and R. M. T. Hunter named to his place.

**July 26.**—Fight at Lane's Prairie, Mo. Rebels repulsed.

**July 28.**—General thanksgiving in the Confederacy for the victory at Manassas.

**July 29.**—Engagement by four Federal gunboats with a battery planted at Acquia Creek, on the Potomac. No particular effect produced.

—Wise destroys the Gauley River bridge, Va., and flies up the Kanawha to escape Cox's pursuit.

**July 30.**—The Missouri State Convention declares the offices of Governor, Lieutenant Governor and Secretary of State to be vacant.

**Aug. 1.**—The Secretary of War settles the "contraband" question, by ordering all slaves then within the Federal lines, or such as might come in, to be put to work on military works and paid as day laborers.—Governor Gamble of Missouri, inaugurated.—Expedition departed from St. Louis to occupy Bird's Point and Cairo.

**Aug. 2.**—The bill providing for 500,000 men passes Congress.—Battle near Dug Spring, Mo. Lyon defeats Ben McCullough's advance division; Rebel loss, 40 killed, 44 wounded: Union loss, 8 killed, 30 wounded.—Fort Fillmore, in New Mexico, betrayed by its commander, Major Lynde, together with its garrison of 750 men.—Destruction of Rebel stores and vessels by the Unionists, in Pokomoke sound.

**Aug. 3.**—Congress passes act confiscating all slaves used by rebels for military purposes.

**Aug. 5.**—Galveston "awakened" by a few bombs from the blockading fleet.—Rebels defeated at Athens, Mo.—Skirmish at Point of Rocks, Va.

**Aug. 6.**—The Federal Congress adjourns.

**Aug. 7.**—Hampton, Va., wantonly burned by the rebel General, Magruder.—Privateer *York* burned by the U. S. gunboat *Union*.

**Aug. 8.**—Rebels routed at Lovettsville, Va.

**Aug. 9.**—Rebels defeated at Potosi, Mo.; 30 killed and wounded.

**Aug. 10.**—Bloody battle at Wilson's Creek, Mo. General Lyon with 5200 men attacks the rebels—17,000 strong, under command of Ben McCullough.



and Generals Price and Rains. Lyon killed heading a charge, when his forces fall back to Springfield and then retreat to Rolla, in good order. Union loss, 263 killed, 721 wounded. Rebel loss, 421 killed and over 1000 wounded.

*Aug. 12.*—General Wool appointed to the command of Fortress Monroe.

*Aug. 13.*—Grafton, Va., occupied by Union troops. Rebel loss, 21.—Skirmish at Mathias Point, Va. Union loss, 3 killed, 1 wounded.

*Aug. 14.*—Fremont declares martial law in St. Louis.—Jefferson Davis notifies all who do not recognize his authority to leave the Confederate States within forty days.

*Aug. 16.*—The President of the U. S. orders all commercial intercourse between the loyal and seceded States to cease.—Surprise by Colonel Hecker of a rebel camp at Fredericktown, Mo.

*Aug. 18.*—Skirmish at Lady's Fork, Va. The rebels worsted.

*Aug. 19.*—A number of newspapers mobbed in the Northern States for disloyal sentiments.—Commerce, Mo., retaken by the Federalists.—Pierce Butler of Philadelphia, arrested for giving information to the Confederates.

*Aug. 20.*—Skirmish at Hawk's Nest, Kanawha valley, Va. The rebels, 4000 strong, assault the position of the Eleventh Ohio regiment, and are repulsed, with a loss reported at 50 killed; Union loss 2 killed.—Assault upon Charleston, Mo. The rebels driven out with a loss of 40 killed and 17 prisoners. Union loss, 1 killed, 6 wounded.—The Wheeling Convention passes an ordinance (50 to 28) erecting Western Virginia into the State of Kanawha.—General McClellan formally announces his assumption of chief command of the "Army of the Potomac."

*Aug. 21.*—Skirmish at Cross Lanes, Va.

*Aug. 22.*—The newspapers in New York city presented by the Grand Jury as disloyal, are denied the use of the mails, by order of the P. M. General.

*Aug. 24.*—Governor Gamble, of Mo., issues a call for 42,000 troops for the State service to assist in driving the rebels from the State.—The Mayor of Washington City, D. C., arrested for refusing to take the oath of allegiance.

*Aug. 26.*—Surprise of the Fourth Ohio regiment at breakfast by 3000 infantry, 400 cavalry and 10 guns, under Floyd. The Ohioans, with the utmost coolness, formed in line of battle, fought until the enemy began to outflank them, then charged and cut their way through the rebel ranks. No pursuit was offered. The baggage train of the Ohioans retired safely to Gauley bridge.—The Hatteras expedition sails from Fortress Monroe, under command of Major-General Butler and Commodore Stringham.

*Aug. 28, 29.*—Bombardment of Forts Hatteras and Clark, by the fleet under command of Commodore Stringham. The Forts capitulated (29th) after suffering from a terrific fire from the fleet. Rebel loss, 8 killed, 25 wounded, 710 prisoners (including Commodore Barron and 44 officers) twenty-five 32-pounders, 1000 stands of arms, great quantity of munitions, stores, &c. Union loss, none. Three prize vessels seized inside of the Inlet.—Attack on the Union entrenchments, by 2000 rebels, at Lexington, Mo. Rebels repulsed with a loss of 60 killed. The Union forces, all told, numbered 230.—A company of rebels (23) captured at Greytown, Mo.

*Aug. 30.*—Fort Morgan (Ocrakoke Inlet, N. C.) abandoned by the enemy.—Fremont proclaims martial law throughout Missouri. He also declares confiscation of all property of those in arms against the Government and the freedom of all their slaves.

*Sept. 1.*—Rout of rebels at Boone C. H., West Virginia. A gallant charge made by Captain Weller's command; 11 rebels killed and 40 secured prisoners. The entire village burned.—Sharp skirmish at Bennett's Mills, Dent county, Mo. A squad of Home Guards repulse 250 rebels. Union loss, 2 killed, 7 wounded.

*Sept. 2.*—Appeal to the people to subscribe to National 7.30 loan, made by the Secretary of Treasury.—Charleston, Va. Home Guards surrounded near Harper's Ferry by a section of the Tenth Massachusetts. Rebel loss, 3 killed, 5 wounded, 22 prisoners.—Fight near Fort Scott, Kan. The rebel General, Rains, repulses an attack made on him by Montgomery.—Attack, by Colonel Craman, of General Kelley's staff, upon a secessionist camp at Worthington, Marion county Va.

*Sept. 3.*—Bridge over the Little Platte river, Hannibal and St. Joseph railroad, so weakened by fire recently set, that a passenger train was precipitated into the river. Seventeen men, women and children killed and sixty wounded.

*Sept. 4.*—Kentucky invaded by the rebels under General Polk. Positions taken at Hickman, Chert Bluffs and Columbus. Polk's proclamation gave his reason for this that the Federalists were occupying *Missouri*, opposite Columbus.

*Sept. 4.*—Eleven hundred men commanded by Colonel H. G. Williams at Shelbyville, Mo., attacked by the rebel Martin Greene's command. The Federals had to retreat to escape capture, with a loss of all the camp equipage, &c.

*Sept. 6.*—General Pope marched against Martin Greene, rebel, then in force at Hunneville, Mo. The rebel fled, leaving all his baggage, stores, &c.

*Sept. 7.*—The Federal flag ordered to be displayed over the Kentucky State House, by the House Representatives, by a vote of 77 to 20.

*Sept. 8.*—General Grant occupies Paducah. In consequence of the invasion of the State by Confederates.

*Sept. 9.*—One hundred and fifty Federal prisoners (including Colonels Corcoran and Wilcox) ordered to Castle Pinckney, Charleston, to be there incarcerated as hostages for the safety of the private on trial in New York.—Second attempt of rebels in Missouri to destroy lives by weakening the railroad bridge at Sturgeon.

*Sept. 10.*—Rosecrans, in Western Virginia, moved upon Floyd's entrenched camp at Carnifax and assails it. Darkness coming on the Federals lay on their arms all night. In the morning a combined assault is made when it is found that Floyd has fled, leaving all his baggage, stores, &c. behind him. He "retires" over Gauley river, cutting off all communication. Federal loss, 16 killed, wounded. Floyd's loss not ascertained.

*Sept. 11.*—The President "modifies" the proclamation of Fremont regarding the confiscation of rebels' slaves. The President makes it read—"slaves who have been employed on rebel military works." Fremont had it—"all slaves of those found in arms against the Government.—The Kentucky House of Representatives ordered, by res-



tion, the Confederate troops to leave the State. Vote 71 to 26. The Senate adopts the same resolve Sept. 12th.—Engagement at Lewinsville, Va. A reconnoitering party, under Colonel Stevens, encounters four rebel regiments. A sharp skirmish ensues. The object of the expedition having been accomplished, Stevens retires. Loss, 7 killed and 9 wounded.

Sept. 12.—The rebels under General Robert E. Lee appears before the Federal positions at Cheat Mountain, and Elkwater, Western Virginia. They surround the position on the hill, but the Federal regiments pierce their lines on the 13th, and secure the hill with its valuable stores. Manœuvring then follows upon Elkwater, which General Reynolds successfully holds, against all of Lee's endeavors. On the 14th the enemy is so disconcerted by the splendid management of the Federals that he withdraws with a loss of about 100 killed, including Colonel John A. Washington.—Rebel camp at Petersburg, Hardy county, Va., broken up by Captain Reid's cavalry and a company of infantry.—Major Gavitt's cavalry attacks and routs the notorious guerrilla Talbot, at Black river, Mo., near Ironton.—The dry dock at the Pensacola Navy Yard burned by an expedition from Fort Pickens, under Lieutenant Shipley.

Sept. 13.—Arrest of secession members of the Maryland Legislature, a Member of Congress (H. May) the Mayor of Baltimore and other leading secessionists, who had formed a conspiracy to pass an ordinance of secession on the opening of the Legislature. This arrest left the Legislature without a quorum, and the plot to "carry the State out of the Union," miscarried.—Attack of the rebel Colonel Brown upon Boonville, which is successfully defeated by 150 Home Guards under Captain Eppstein. Brown is killed, with 11 of his command and 30 wounded.—Sharp cannonade on the Potomac opposite Shepardstown, Va. Rebel battery silenced.—Rebel iron clad *Yorktown*, dashes down into Hampton Roads and fires on the fleet and the Newport News camp.

Sept. 14.—Privateer *Judah* burned by an expedition from the steam frigate *Colorado*, in the harbor of Pensacola. [For particulars of this gallant affair see Report in Appendix.]

Sept. 15.—Rebel attack on Colonel Geary's pickets, above Darnestown, Md. Rebels finally repulsed with considerable loss. Geary's loss, 1 killed.

Sept. 16.—The rebels under Price, 6000 strong, assail the entrenched camp of Colonel Mulligan, at Lexington, Mo. Rebels repulsed with heavy loss, when a siege of the place commences.—Ship Island evacuated by the rebels.—Fight at Blue Mills Landing, Mo. The Iowa Third *en route* to reinforce Col. Mulligan at Lexington, assailed by a heavy body of Price's troops. The Iowans retire until reinforced by Colonel Smith's command (sixteenth Illinois) when the two regiments assail and drive back the rebels, who retreat over the Missouri river under cover of the night.—Expedition to Ocracoke Island, N. C., under command of Lieutenants Eastman and Maxwell, of the gunboat *Purnee*. Fort Beauregard destroyed and its guns (28 fine pieces) entirely rendered useless.

Sept. 17.—Fight at Mariatown, Mo. Rebels repulsed by Colonels Montgomery and Johnston's forces (900). Colonel Johnston killed. Rebel loss, 7 killed and all their camp equipage, stores, &c.

Sept. 17-18.—Skirmishes at Barboursville, Ky., between Zollicoffer's scouts and the Home Guards. The Guards drive off the rebels.

Sept. 18.—Further arrests of Maryland Legislators, including the Speaker of the House.

Sept. 19.—Arrests in Louisville of prominent secessionists on charge of treason and complicity with the rebels. The *Courier* newspaper office seized for treason and sedition.

Sept. 20.—Surrender of Mulligan and his forces at Lexington, Mo., after sustaining an unremitted assault and bombardment for fifty-nine hours.

Sept. 21.—General Lane's command surprise a superior force of rebels at Papinsville, Mo. A severe fight ensued in which the enemy is repulsed, with a loss of 40 killed, 100 prisoners, all their tents, wagons and supplies.—General Robert Anderson assumes command in Kentucky of the Union forces.

Sept. 23.—Colonels Cantwell and Parke, with one gun and Ringold's cavalry advance from New Creek, Va., and drive the rebels, 700 strong, from the Mechanicsburg Gap. The Federals push on into Romney and storm the town, driving 1400 rebel infantry and cavalry to the mountains, with a loss of 28 killed.—The two French Princes, Count de Paris and Duc d'Orleans, commissioned as Captains and placed on the staff of General McClellan.

Sept. 24.—Colonel Geary of the Twenty-eighth Pennsylvania, has another sharp fight with the rebels, near Point of Rocks. The rebels attack the Federals across the river, when Geary opens on them and drives them off, burning three houses.

Sept. 25.—A second reconnoissance in force to Lewinsville, under command of General W. F. Smith. Four regiments of rebels, with cavalry and artillery, attack the Unionists but are quickly repulsed by Griffin and Youatt's batteries.—Piatt's Zouaves (Thirty-fourth Ohio) storm a rebel camp near Chapinsville, Va. Rebel loss, 30 killed and 50 wounded. Union loss, 4 killed, 8 wounded.

Sept. 26.—Day of Fasting and Prayer throughout the loyal States.

Sept. 27.—Fremont starts from St. Louis after Price, with 12,000 men.

Sept. 28.—Rebels evacuate Munson's Hill.

Sept. 29.—Price evacuating Lexington.

Oct. 1.—Propeller *Fanny*, loaded with stores, &c., captured by the enemy in Pamlico sound.

Oct. 2-3.—General Reynolds, marching from his Cheat Mountain camp, encounters Lee's force in camp at Greenbrier, when a very sharp contest ensues. Reynolds' object is to reconnoiter and "feel of" the enemy. Having fully informed himself of Lee's strength and position, he returns to his camp with 13 prisoners. Union loss, 8 killed, 32 wounded.

Oct. 3.—Sharp engagement at Union Hill, Ky. The Federals, outnumbered greatly, retire after a stubborn and bloody resistance.

Oct. 4.—Federal advance to Pohick church, on the Fairfax road—Descent of rebels on Colonel Brown's command, at Chicacomico, N. C. Brown retreats to Hatteras Light house, under cover of the gunboats, with a loss of 40 prisoners.

Oct. 5.—Gunboat *Monticello* shells the rebels at Chicacomico with great slaughter.

Oct. 8.—General Anderson retires from the com-



mand in Kentucky, and is succeeded by General W. T. Sherman.—Gallant affair near Hillsboro, Ky., in which 50 Home Guards defeat a large party of rebels after a twenty minutes' fight. Rebel loss, 11 killed, 29 wounded, 22 prisoners. Union loss, 3 killed, 2 wounded.

Oct. 9-10.—Wilson's Zouave camp, on Santa Rosa island, attacked by a strong force of rebels. After an obstinate fight the enemy is repulsed with much slaughter. Two companies of regulars from Fort Pickens participates in the fight. Union loss, 14 killed, 29 wounded, 24 missing.

Oct. 9.—Federal advance to Lewinsville.

Oct. 11.—Three boats from the gunboat *Union* run up Quantico creek, Va., and burn a rebel vessel.

Oct. 12.—Commodore Hollins, with his "ram" and fire-ships, attacks the Federal ships blockading in the Mississippi river. The "ram" is driven off, and the fire-fleet burn harmlessly. The Federal ships, however, pass down the river, to obtain a wider berth.—Steamer *Theodora* runs the blockade at Charleston, S. C., having on board Messrs. Mason and Slidell, rebel commissioners to Europe. The steamer *Nashville* passed out the previous night.

Oct. 13.—Major Wright's cavalry (U. S. regulars) surprise and overcome 300 mounted rebels near Lebanon, Mo.—Sharp skirmish at Beckwith's, below Bird's Point, Mo. The Union squad disperse the rebels, but are in turn forced to retreat, after an obstinate resistance against great odds.

Oct. 14.—Major Wright, with one company of cavalry, surround Lime Creek, Mo., and takes 45 prisoners.—Secretary of State, Seward, issues a circular to the State Governors, advising them to fortify their coasts for defense.

Oct. 16.—Colonel Geary passing over into Virginia, at Harper's Ferry, proceeds to a mill beyond, and captures 21,000 bushels of wheat. He is fiercely assailed by Confederate forces and batteries on Bolivar and Loudon heights. Colonel G. holds his ground in fine style. The enemy finally withdraw, whipped in a most unqualified manner. Geary returns safely, with his little command, to the Maryland shore. Union loss, 4 killed, 8 wounded.—Major White, with his "Prairie Scouts," (mounted) dashes into Lexington, Mo., secures its rebel garrison of 306, together with a large amount of rebel stores, arms, &c.—The blockade of the Potomac, by rebel shore batteries, is pronounced perfect.

Oct. 17.—Gallant fight near Frederickton, Mo. A large rebel force routed by Major Gavitt's cavalry, 5 companies of the Twenty-first Illinois and Captain Hawkins' Home Guards.—The Confederates retire from Vienna to Fairfax C. H., Va. McClellan immediately advances to Vienna.—Fight near Line creek, Mo. Rebels routed by Lieutenant Kirby and 5 of them killed.—Fight at Big Hurricane creek, Mo., Colonel Morgan (Eighteenth Missouri) routs the

rebels, killing 14 and taking 8 prisoners. Union loss, 14 wounded—2 mortally.

Oct. 20.—Reconnoissance to Fairfax C. H. by General McClellan in person.

Oct. 21.—Battle of Ball's Bluff. Federals defeated by greatly superior rebel force. Union loss not correctly ascertained. See pages 346-349.—Battle of Fredericktown, Mo. Rebels repulsed in a well contested fight of two hours. Rebels routed and pursued 22 miles, leaving 200 of their dead and wounded on the field, including Colonel Lowe, second command. Union loss, 6 killed, 40 wounded. See pages 335-36.

—Battle of Wild Cat, Ky. Zollicoffer defeated the Unionists under General Schœpff and Colonel Garrard. Union loss, 4 killed and 21 wounded. Rebel loss unknown. See pages 379-80.

Oct. 22.—Fight at West Liberty, Ky. Rebels routed by Nelson's command, losing 21 killed and 34 prisoners, 52 horses, &c.—Another division of command took Hazelgreen, with 38 prisoners.

Oct. 23.—Lieutenant Grayson repulses the rebels near Hodgeville, Ky., killing 3 and wounding 5.

Oct. 25.—Dash of Zagonyi, with the "Fremont Body Guard" and Major Frank White's "Prairie Scouts," into Springfield, Mo. The rebels, full of strong, driven out with a loss of 80 killed, 60 wounded and 27 prisoners. Zagonyi lost, of the force engaged (150 of the Guard) 15 killed, 27 wounded and 10 missing.

Oct. 26.—Battle at Romney. General B. F. Kelley's force from New creek, by a night march, come upon the rebels, drives in their pickets and pass up to Romney, where the enemy make a determined stand. After an obstinate defense the rebels are vanquished. Federal loss is but 1 killed and wounded!—Heavy skirmish at Saratoga, Ky. Three companies of the Kansas Ninth attack and defeat the enemy, killing 13, capturing 21 prisoners and 52 horses. Major Phillips commands the Federal division.—Fremont enters Springfield, Mo., with Siege division.

Oct. 27.—Fight at Plattsburg, Mo., A rebel command broken up; the rebels losing 8 killed, 12 prisoners.

Oct. 28.—Expedition from the gunboat *Louisiana* up Chincoteague inlet, Va., under command of Lieutenant Alfred Hopkins. Three rebel vessels burned. Union loss, none. A gallant affair.

Oct. 29.—Fight beyond Morgantown, Ky. Colonel Burbridge defeats the rebels in a well contested field, driving them from Woodbury and capturing their camp, stores, equipage, &c.

—The Port Royal Expedition sails from Fort Monroe.

Oct. 31.—Lieutenant-General Winfield Scott transmits to the Secretary of War his request to be retired from active service.



# DIVISION V.

## CHAPTER I.

EXTRAORDINARY SESSION OF THE FEDERAL CONGRESS. MESSAGE OF THE PRESIDENT. REPORTS OF THE SECRETARIES OF THE TREASURY, WAR AND NAVY. IMPORTANT LEGISLATION BY CONGRESS.

Meeting of the  
Two Houses.

CONGRESS met in extraordinary session at Washington, July 4th, according to the Proclamation of April 15th. Both Houses organized at noon. The attendance was quite full from twenty-four States, including, in the Senate, full delegations from Kentucky, Missouri, Maryland, Delaware, and one from Tennessee. In the House of Representatives, one hundred and fifty-seven names answered the first roll-call. Matters for legislation were so well matured as to give promise of a brief session—all the most important bills having been perfected by a number of leading members who had been in Washington for several weeks prior to the 4th. In the Senate, after organization, Mr. Wilson, Chairman of the Committee on Military Affairs, gave notice of the following bills:

1. A bill to ratify and confirm certain acts of the President for the suppression of insurrection and rebellion.
2. A bill to authorize the employment of volunteers for enforcing the laws and protecting public property.
3. A bill to increase the present military establishment of the United States.
4. A bill providing for the better organization of the military establishment.
5. A bill to promote the efficiency of the army.
6. A bill for organizing a volunteer militia force, to be called the National Guard of the United States.

The reading of these important acts occu-

ried the Senate's attention up to the hour of adjournment. The lower House spent the day in effecting an organization by the election of a Speaker and Clerk. The balloting resulted in the choice of Galusha A. Grow, of Pennsylvania, Republican, as Speaker. Emerson Etheridge, Unionist, of Tennessee, was elected Clerk.

The President's Message and accompanying Department Documents were sent

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in on the 5th. The Message read as follows: "*Fellow-Citizens of the Senate and*

*House of Representatives:*

"Having been convened on an extraordinary occasion, as authorized by the Constitution, your attention is not called to any ordinary subject of legislation.

"At the beginning of the present Presidential term, four months ago, the functions of the Federal Government were found to be generally suspended within the several States of South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida, excepting only those of the Post-office Department.

"Within these States all the forts, arsenals, dock-yards, custom-houses, and the like, including the movable and stationary property in and about them, had been seized, and were held in open hostility to this Government, excepting only Forts Pickens, Taylor and Jefferson, on and near the Florida coast, and Fort Sumter, in Charleston harbor, South Carolina. The forts thus seized had been put in improved condition; new ones had been built, and armed forces had been organized, and were organizing, all avowedly with the same hostile purpose.

"The forts remaining in the possession of the Federal Government in and near these States were



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either besieged or menaced by warlike preparations, and especially Fort Sumter was nearly surrounded by well-protected, hostile batteries, with guns equal in quality to the best of its own, and outnumbering the latter as perhaps ten to one. A disproportionate share of the Federal muskets and rifles had somehow found their way into these States, and had been seized to be used against the Government. Accumulations of the public revenue, lying within them, had been seized for the same object. The Navy was scattered in distant seas, leaving but a very small part of it within the immediate reach of the Government. Officers of the Federal Army and Navy had resigned in great numbers; and of those resigning, a large proportion had taken up arms against the Government. Simultaneously, and in connection with all this, the purpose to sever the Federal Union was openly avowed. In accordance with this purpose, an ordinance had been adopted in each of these States, declaring the States, respectively, to be separated from the National Union. A formula for instituting a combined Government of these States had been promulgated; and this illegal organization, in the character of Confederate States, was already invoking recognition, aid and intervention from foreign powers.

"Finding this condition of things, and believing it to be an imperative duty upon the incoming Executive to prevent, if possible, the consummation of such attempt to destroy the Federal Union, a choice of means to that end became indispensable. This choice was made, and was declared in the Inaugural Address. The policy chosen looked to the exhaustion of all peaceful measures, before a resort to any stronger ones. It sought only to hold the public places and property not already wrested from the Government, and to collect the revenue; relying for the rest on time, discussion and the ballot-box. It promised a continuance of the mails, at Government expense, to the very people who were resisting the Government; and it gave repeated pledges against any disturbance to any of the people, or any of their rights. Of all that which a President might constitutionally and justifiably do in such a case, everything was forborne, without which it was believed possible to keep the Government on foot.

"On the 5th of March, (the present incumbent's first full day in office,) a letter of Major Anderson, commanding at Fort Sumter, written on the 28th of February, and received at the War Department on the 4th of March, was, by that Department, placed in his hands. This letter expressed the professional opinion of the writer that reinforcements

could not be thrown into that fort within the time for his relief, rendered necessary by the limit-

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ed supply of provisions, and with a view of holding possession of the same, with a force of less than twenty thousand good and well-disciplined men. This opinion was concurred in by all the officers of his command, and their *memoranda* on the subject were made inclosures of Major Anderson's letter. The whole was immediately laid before Lieutenant-General Scott, who at once concurred with Major Anderson in opinion. On reflection, however, he took full time, consulting with other officers, both of the Army and of the Navy, and, at the end of four days, came reluctantly, but decidedly, to the same conclusion as before. He also stated at the same time that no such sufficient force was then at the control of the Government, or could be raised and brought to the ground within the time when the provisions in the fort would be exhausted. In a purely military point of view, this reduced the duty of the Administration in the case to the mere matter of getting the garrison safely out of the fort.

"It was believed, however, that to so abandon that position, under the circumstances, would be utterly ruinous; that the *necessity* under which it was to be done would not be fully understood; that by many it would be construed as a part of a *voluntary* policy; that at home it would discourage the friends of the Union, embolden its adversaries, and go far to insure to the latter a recognition abroad; that, in fact, it would be our National destruction consummated. This could not be allowed. Starvation was not yet upon the garrison; and ere it would be reached, *Fort Pickens* might be reinforced. This last would be a clear indication of *policy*, and would better enable the country to accept the evacuation of Fort Sumter as a military *necessity*. An order was at once directed to be sent for the landing of the troops from the steamship *Brooklyn* into Fort Pickens. This order could not go by land, but must take the longer and slower route by sea. The first return news from the order was received just one week before the fall of Fort Sumter. The news itself was that the officer commanding the *Sabine*, to which vessel the troops had been transferred from the *Brooklyn*, acting upon some *quasi* armistice of the late Administration, (and of the existence of which the present Administration, up to the time the order was dispatched, had only too vague and uncertain rumors to fix attention,) had refused to land the troops. To now reinforce Fort Pickens, before a crisis would be reached at Fort Sumter, was impossible, rendered so by the near exhaustion of provisions in the latter named fort. In precaution against such a conjuncture, the



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Government had a few days before commenced preparing an expedition, as well adapted as

might be, to relieve Fort Sumter, which expedition was intended to be ultimately used or not, according to circumstances. The strongest anticipated case for using it was now presented; and it was resolved to send it forward. As had been intended in this contingency, it was also resolved to notify the Governor of South Carolina that he might expect an attempt would be made to provision the fort; and that, if the attempt should not be resisted, there would be no effort to throw in men, arms or ammunition, without further notice, or in case of an attack upon the fort. This notice was accordingly given; whereupon the fort was attacked and bombarded to its fall, without even awaiting the arrival of the provisioning expedition.

"It is thus seen that the assault upon and reduction of Fort Sumter was in no sense a matter of self-defense on the part of the assailants. They well knew that the garrison in the fort could by no possibility commit aggression upon them. They knew—they were expressly notified—that the giving of bread to the few brave and hungry men of the garrison, was all which would on that occasion be attempted, unless themselves, by resisting so much, should provoke more. They knew that this Government desired to keep the garrison in the fort, not to assail them, but merely to maintain visible possession, and thus to preserve the Union from actual and immediate dissolution—trusting, as hereinbefore stated, to time, discussion and the ballot-box, for final adjustment; and they assailed and reduced the fort for precisely the reverse object—to drive out the visible authority of the Federal Union, and thus force it to immediate dissolution. That this was their object, the Executive well understood; and, having said to them, in the Inaugural Address, 'you can have no conflict without being yourselves the aggressors,' he took pains, not only to keep this declaration good, but also to keep the case so free from the power of ingenious sophistry that the world should not be able to misunderstand it. By the affair at Fort Sumter, with its surrounding circumstances, that point was reached. Then and thereby the assailants of the Government began the conflict of arms, without a gun in sight, or in expectancy to return their fire, save only the few in the fort, sent to that harbor years before, for their own protection, and still ready to give that protection in whatever was lawful. In this act, discarding all else, they have forced upon the country the distinct issue: 'Immediate dissolution or blood.'

"And this issue embraces more than the fate of these United States. It presents to the whole fami-

ly of man the question, whether a constitutional republic, or democracy—a Government of the

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people by the same people—can, or cannot, maintain its territorial integrity against its own domestic foes. It presents the question, whether discontented individuals, too few in numbers to control administration, according to organic law, in any case, can always, upon the pretenses made in this case, or on any other pretenses, or arbitrarily, without any pretense, break up their Government, and thus practically put an end to free government upon the earth. It forces us to ask: 'Is there, in all republics, this inherent and fatal weakness?' 'Must a government, of necessity, be too *strong* for the liberties of its own people, or too *weak* to maintain its own existence?'

"So viewing the issue, no choice was left but to call out the war power of the Government; and so to resist force employed for its destruction, by force for its preservation.

"The call was made, and the response of the country was most gratifying, surpassing in unanimity and spirit the most sanguine expectation. Yet none of the States, commonly called slave States, except Delaware, gave a regiment through regular State organization. A few regiments have been organized within some others of those States, by individual enterprise, and received into the Government service. Of course, the seceded States, so called, (and to which Texas had been joined about the time of the Inauguration,) gave no troops to the cause of the Union. The border States, so called, were not uniform in their action; some of them being almost *for* the Union, while in others—as Virginia, North Carolina, Tennessee, and Arkansas—the Union sentiment was nearly repressed and silenced. The course taken in Virginia was the most remarkable, perhaps the most important. A Convention, elected by the people of that State to consider this very question of disrupting the Federal Union, was in session at the capital of Virginia when Fort Sumter fell. To this body the people had chosen a large majority of *professed* Union men. Almost immediately after the fall of Sumter, many members of that majority went over to the original disunion minority, and, with them, adopted an ordinance for withdrawing the State from the Union. Whether this change was wrought by their great approval of the assault upon Sumter, or their great resentment at the Government's resistance to that assault, is not definitely known. Although they submitted the ordinance for ratification to a vote of the people, to be taken on a day then somewhat more than a month distant, the Convention and the Legislature, (which was also in session at the



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same time and place,) with leading men of the State, not members of either, immediately commenced acting as if the State were already out of the Union. They pushed military preparations vigorously forward all over the State. They seized the United States armory at Harper's Ferry and the Navy Yard at Gosport, near Norfolk. They received—perhaps invited—into their State large bodies of troops, with their warlike appointments, from the so-called seceded States. They formally entered into a treaty of temporary alliance and co-operation with the so-called 'Confederate States,' and sent members to their Congress at Montgomery. And finally, they permitted the insurrectionary Government to be transferred to their capital at Richmond.

"The people of Virginia have thus allowed this giant insurrection to make its nest within her borders; and this Government has no choice left but to deal with it where it finds it. And it has the less regret, as the loyal citizens have, in due form, claimed its protection. Those loyal citizens this Government is bound to recognize and protect, as being Virginia.

"In the Border States, so called—in fact the Middle States—there are those who favor a policy which they call 'armed neutrality;' that is, an arming of these States to prevent the Union forces passing one way, or the disunion the other, over their soil. This would be disunion completed. Figuratively speaking, it would be the building of an impassable wall along the line of separation—and yet, not quite an impassable one; for, under the guise of neutrality, it would tie the hands of the Union men, and freely pass supplies from among them to the insurrectionists, which it could not do as an open enemy. At a stroke, it would take all the trouble off the hands of secession, except only what proceeds from the external blockade. It would do for the disunionists that which, of all things, they most desire—feed them well, and give them disunion without a struggle of their own. It recognizes no fidelity to the Constitution, no obligation to maintain the Union; and while very many who have favored it are, doubtless, loyal citizens, it is, nevertheless, very injurious in effect.

"Recurring to the action of the Government, it may be stated that, at first, a call was made for seventy-five thousand militia; and rapidly following this, a proclamation was issued for closing the ports of the insurrectionary districts by proceedings in the nature of blockade. So far all was believed to be strictly legal. At this point the insurrectionists announced their purpose to enter upon the practice of privateering.

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"Other calls were made for volunteers to serve three years, unless sooner discharged, and also for large additions to the regular army and navy. These measures, whether strictly legal or not, were ventured upon, under what appeared to be a popular demand and a public necessity; trusting then, as now, that Congress would readily ratify them. It is believed that nothing has been done beyond the constitutional competency of Congress.

"Soon after the first call for militia, it was considered a duty to authorize the Commanding-General, in proper cases, according to his discretion, to suspend the privilege of the writ of *habeas corpus*, or, in other words, to arrest and detain, without resort to the ordinary processes and forms of law, such individuals as he might deem dangerous to the public safety. This authority has purposely been exercised but very sparingly. Nevertheless, the legality and propriety of what has been done under it are questioned, and the attention of the country has been called to the proposition that one who is sworn to 'take care that the laws be faithfully executed,' should not himself violate them. Of course, some consideration was given to the questions of power and propriety, before this matter was acted upon. The whole of the laws which were required to be faithfully executed, were being resisted, and failing of execution in nearly one-third of the States. Must they be allowed to finally fail of execution, even had it been perfectly clear, that by the use of the means necessary to their execution, some single law, made in such extreme tenderness of the citizen's liberty, that practically, it relieves more of the guilty than of the innocent, should, to a very limited extent, be violated? To state the question more directly, are all the laws *but one* to go unexecuted, and the Government itself to go to pieces, lest that one be violated? Even in such a case, would not the official oath be broken, if the Government should be overthrown, when it was believed that disregarding the single law would tend to preserve it? But it was not believed that this question was presented. It was not believed that any law was violated. The provision of the Constitution that 'the privilege of the writ of *habeas corpus* shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it,' is equivalent to a provision—is a provision—that such privilege may be suspended when, in cases of rebellion or invasion, the public safety *does* require it. It was decided that we have a case of rebellion, and that the public safety does require the qualified suspension of the privilege of the writ, which was authorized to be made. Now it is insisted that Congress, and not the Executive, is vested with this power. But the



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Constitution itself is silent as to which, or who, is to exercise the power; and as the provision

was plainly made for a dangerous emergency, it cannot be believed the framers of the instrument intended that, in every case, the danger should run its course until Congress could be brought together; the very assembling of which might be prevented, as was intended in this case, by the rebellion.

"No more extended argument is now offered, as an opinion, at some length, will probably be presented by the Attorney-General. Whether there shall be any legislation upon the subject, and if any, what, is submitted entirely to the better judgment of Congress.

"The forbearance of this Government had been so extraordinary, and so long continued, as to lead some foreign nations to shape their action as if they supposed the early destruction of our National Union was probable. While this, on discovery, gave the Executive some concern, he is now happy to say that the sovereignty and rights of the United States are now everywhere practically respected by foreign Powers; and a general sympathy with the country is manifested throughout the world.

"The reports of the Secretaries of the Treasury, War, and the Navy, will give the information in detail deemed necessary and convenient for your deliberation and action; while the Executive, and all the Departments, will stand ready to supply omissions, or to communicate new facts, considered important for you to know.

"It is now recommended that you give the legal means for making this contest a short and decisive one; that you place at the control of the Government, for the work, at least four hundred thousand men, and \$400,000,000. That number of men is about one-tenth of those of proper ages within the regions where, apparently, *all* are willing to engage; and the sum is less than a twenty-third part of the money value owned by the men who seem ready to devote the whole. A debt of \$600,000,000 *now* is a less sum per head than was the debt of our Revolution when we came out of that struggle; and the money value in the country now bears even a greater proportion to what it was *then* than does the population. Surely each man has as strong a motive *now* to *preserve* our liberties as each had *then* to *establish* them.

"A right result, at this time, will be worth more to the world than ten times the men and ten times the money. The evidence reaching us from the country leaves no doubt that the material for the work is abundant; and that it needs only the hand of legislation to give it legal sanction, and the hand of the Executive to give it practical shape and effi-

ciency. One of the greatest perplexities of the Government is to avoid receiving troops faster than it can provide for them.

In a word, the people will save their Government, if the Government itself will do its part only indifferently well.

"It might seem, at first thought, to be of little difference whether the present movement at the South be called 'secession' or 'rebellion.' The movers, however, well understand the difference. At the beginning, they knew they could never raise their treason to any respectable magnitude by any name which implies *violation* of law. They knew their people possessed as much of moral sense, as much of devotion to law and order, and as much pride in and reverence for the history and Government of their common country, as any other civilized and patriotic people. They knew they could make no advancement directly in the teeth of these strong and noble sentiments. Accordingly they commenced by an insidious debauching of the public mind. They invented an ingenious sophism, which, if conceded, was followed by perfectly logical steps through all the incidents, to the complete destruction of the Union. The sophism itself is, that any State of the Union may, *consistently* with the National Constitution, and therefore *lawfully* and *peacefully*, withdraw from the Union without the consent of the Union or of any other State. The little disguise that the supposed right is to be exercised only for just cause, themselves to be the sole judge of its justice, is too thin to merit any notice.

"With rebellion thus sugar-coated, they have been drugging the public mind of their section for more than thirty years, and until at length they have brought many good men to a willingness to take up arms against the Government the day *after* some assemblage of men have enacted the farcical pretense of taking their State out of the Union, who could have been brought to no such thing the day *before*.

"This sophism derives much, perhaps the whole, of its currency from the assumption that there is some omnipotent and sacred supremacy pertaining to a *State*—to each State of our Federal Union. Our States have neither more nor less power than that reserved to them in the Union by the Constitution—no one of them ever having been a State *out* of the Union. The original ones passed into the Union even *before* they cast off their British colonial dependence; and the new ones each came into the Union directly from a condition of dependence, excepting Texas. And even Texas, in its temporary independence, was never designated a State. The new ones only took the designation of States on

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coming into the Union, while that name was first adopted for the old ones in and by the Declaration of Independence. Therein the 'united colonies' were declared to be 'free and independent States;' but, even then, the object plainly was not to declare their independence of *one another*, or of the *Union*, but directly the contrary, as their mutual pledge and their mutual action, before, at the time, and afterwards, abundantly show. The express plighting of faith by each and all of the original thirteen in the Articles of Confederation, two years later, that the Union shall be perpetual, is most conclusive. Having never been States, either in substance or in name, *outside* of the Union, whence this magical omnipotence of 'State rights,' asserting a claim of power to lawfully destroy the Union itself? Much is said about the 'sovereignty' of the States; but the word even is not in the National Constitution; nor, as is believed, in any of the State constitutions. What is a 'sovereignty,' in the political sense of the term? Would it be far wrong to define it 'a political community without a political superior?' Tested by this, no one of our States, except Texas, ever was a sovereignty. And even Texas gave up the character on coming into the Union; by which act she acknowledged the Constitution of the United States, and the laws and treaties of the United States made in pursuance of the Constitution, to be for her the supreme law of the land. The States have their *status* in the Union, and they have no other legal *status*. If they break from this, they can only do so against law and by revolution. The Union, and not themselves separately, procured their independence and their liberty. By conquest or purchase the Union gave each of them whatever of independence and liberty it has. The Union is older than any of the States, and in fact it created them as States. Originally, some independent colonies made the Union; and, in turn, the Union threw off their old dependence for them and made them States, such as they are. Not one of them ever had a State constitution independent of the Union. Of course, it is not forgotten that all the new States framed their constitutions before they entered the Union; nevertheless, dependent upon, and preparatory to, coming into the Union.

"Unquestionably the States have the powers and rights reserved to them in and by the National Constitution; but among these, surely, are not included all conceivable powers, however mischievous or destructive; but, at most, such only as were known in the world at the time as governmental powers; and certainly a power to destroy the Government itself had never been known as a governmental—as a merely administrative power. This relative matter

of national power and State rights, as a principle, is no other than the principle of *generality*

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and *locality*. Whatever concerns the whole, should be confided to the whole—to the General Government; while whatever concerns *only* the State, should be left exclusively to the State. This is all there is of original principle about it. Whether the National Constitution, in defining boundaries between the two, has applied the principle with exact accuracy, is not to be questioned. We are all bound by that defining, without question.

"What is now combated is the position that secession is *consistent* with the Constitution—is *lawful* and *peaceful*. It is not contended that there is any express law for it; and nothing should ever be implied as law which leads to unjust or absurd consequences. The nation purchased, with money, the countries out of which several of these States were formed. Is it just that they shall go off without leave, and without refunding? The nation paid very large sums, (in the aggregate, I believe, nearly a hundred millions,) to relieve Florida of the aboriginal tribes. Is it just that she shall now be off without consent, or without making any return? The nation is now in debt for money applied to the benefit of these so-called seceding States, in common with the rest. Is it just, either that creditors shall go unpaid, or the remaining States pay the whole? A part of the present national debt was contracted to pay the old debts of Texas. Is it just that she shall leave, and pay no part of this herself?

"Again: if one State may secede, so may another; and when all shall have seceded, none is left to pay the debts. Is this quite just to creditors? Did we notify them of this sage view of ours when we borrowed their money? If we now recognize this doctrine by allowing the seceders to go in peace, it is difficult to see what we can do if others choose to go, or to extort terms upon which they will promise to remain.

"The seceders insist that our Constitution admits of secession. They have assumed to make a national Constitution of their own, in which, of necessity, they have either *discarded* or *retained* the right of secession, as, they insist, it exists in ours. If they have discarded it, they thereby admit that, on principle, it ought not to be in ours. If they have retained it, by their own construction of ours they show that to be consistent they must secede from one another, whenever they shall find it the easiest way of settling their debts, or effecting any other selfish or unjust object. The principle itself is one of disintegration, and upon which no government can possibly endure.

"If all the States, save one, should assert the



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power to *drive* that one out of the Union, it is presumed the whole class of seceder politi-

cians would at once deny the power, and denounce the act as the greatest outrage upon State rights. But suppose that precisely the same act, instead of being called 'driving the one out,' should be called 'the seceding of the others from that one:' it would be exactly what the seceders claim to do; unless, indeed, they make the point, that the one, because it is a minority, may rightfully do what the others, because they are a majority, may not rightfully do. These politicians are subtle and profound on the rights of minorities. They are not partial to that power which made the Constitution, and speaks from the preamble, calling itself 'We, the People.'

"It may well be questioned whether there is, to-day, a majority of the legally qualified voters of any State, except perhaps South Carolina, in favor of disunion. There is much reason to believe that the Union men are the majority in many, if not in every other one, of the so-called seceded States. The contrary has not been demonstrated in an one of them. It is ventured to affirm this even of Virginia and Tennessee; for the result of an election held in military camps, where the bayonets are all on one side of the question voted upon, can scarcely be considered as demonstrating popular sentiment. At such an election all that large class who are, at once, for the Union and *against* coercion, would be coerced to vote against the Union.

"It may be affirmed, without extravagance, that the free institutions we enjoy have developed the powers, and improved the condition, of our whole people, beyond any example in the world. Of this we now have a striking and an impressive illustration. So large an army as the Government has now on foot was never before known without a soldier in it but who had taken his place there of his own free choice. But more than this, there are many single regiments whose members, one and another, possess full practical knowledge of all the arts, sciences, professions, and whatever else, whether useful or elegant, is known in the world; and there is scarcely one from which there could not be selected a President, a Cabinet, a Congress, and perhaps a Court, abundantly competent to administer the Government itself! Nor do I say this is not true also in the army of our late friends, now adversaries, in this contest; but if it is, so much better the reason why the Government, which has conferred such benefits on both them and us, should not be broken up.

"Whoever in any section proposes to abandon such a Government would do well to consider in deference to what principle it is that he does it, what

better he is likely to get in its stead, whether the substitute will give, as he intended to give, so much of good to the people. There are some foreshadowings on this subject.

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"Our adversaries have adopted some declarations of independence, in which, unlike the good old one penned by Jefferson, they omit the words, 'all men are created equal.' Why? They have adopted a temporary National Constitution in the preamble of which, unlike our good old one signed by Washington, they omit, 'We, the people,' and substitute 'We, the Deputies of the sovereign and independent States.'

Why? Why this deliberate pressing out of view the rights of men, and the authority of the people?

"This is essentially a people's contest. On the side of the Union, it is a struggle for maintaining in the world that form and substance of Government whose leading object is to elevate the condition of men—to lift artificial weights from all shoulders—to clear the paths of laudable pursuit for all—to afford all an unfettered start and a fair chance in the race of life. Yielding to partial and temporary departures, from necessity, this is the leading object of the Government for whose existence we contend.

"I am most happy to believe that the plain people understand and appreciate this. It is worthy of note that while, in this the Government's hour of trial, large numbers of those in the Army and Navy who have been favored with the offices have resigned, and proved false to the hand which had pampered them, not one common soldier or common sailor is known to have deserted his flag.

"Great honor is due to those officers who remained true, despite the example of their treacherous associates; but the greatest honor, and most important fact of all, is the unanimous firmness of the common soldiers and common sailors. To the last man, so far as known, they have successfully resisted the traitorous efforts of those whose commands, but an hour before, they obeyed as absolute law. This is the patriotic instinct of plain people. They understand, without an argument, that the destroying the Government which was made by Washington means no good to them.

"Our popular Government has often been called an experiment. Two points in it our people have already settled: the successful *establishing* and the successful *administering* of it. One still remains: its successful *maintenance* against a formidable internal attempt to overthrow it. It is now for them to demonstrate to the world that those who can fairly carry an election can also suppress a rebellion; that ballots are the rightful and peaceful successors of bullets; and that when ballots have fairly and constitutionally decided, there can be no successful ap-



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peal back to bullets; that there can be no successful appeal except to ballots themselves, at succeeding elections. Such will be a great lesson of peace; teaching men that what they cannot take by an election, neither can they take by a war; teaching all the folly of being the beginners of a war.

"Lest there be some uneasiness in the minds of candid men as to what is to be the course of the Government towards the Southern States *after* the rebellion shall have been suppressed, the Executive deems it proper to say it will be his purpose then, as ever, to be guided by the Constitution and the laws, and that he probably will have no different understanding of the powers and duties of the Federal Government, relatively to the rights of the States and the people under the Constitution, than that expressed in the Inaugural Address.

"He desires to preserve the Government, that it may be administered for all as it was administered by the men who made it. Loyal citizens everywhere have the right to claim this of their Government; and the Government has no right to withhold or neglect it. It is not perceived that in giving it, there is any coercion conquest, or any subjugation, in any just sense of those terms.

"The Constitution provides, and all the States have accepted the provision, that 'the United States shall guarantee to every State in this Union a republican form of Government.' But if a State may lawfully go out of the Union, having done so, it may also discard the republican form of Government; so that to prevent its going out is an indispensable *means* to the *end* of maintaining the guarantee mentioned; and when an end is lawful and obligatory, the indispensable means to it are also lawful and obligatory.

"It was with the deepest regret that the Executive found the duty of employing the war power in defense of the Government forced upon him. He could but perform this duty, or surrender the existence of the Government. No compromise by public servants could in this case be a cure; not that compromises are not often proper, but that no popular Government can long survive a marked precedent that those who carry an election can only save the Government from immediate destruction by giving up the main point upon which the people gave the election. The people themselves, and not their servants, can safely reverse their own deliberate decisions.

"As a private citizen, the Executive could not have consented that these institutions shall perish; much less could he, in betrayal of so vast and so sacred a trust as these free people had confided to him. He felt that he had no moral right to shrink, nor even to count the chances of his own life, in

what might follow. In full view of his great responsibility, he has, so far, done what he has deemed his duty. You will now, according to your own judgment, perform yours. He sincerely hopes that your views and your action may so accord with his as to assure all faithful citizens who have been disturbed in their rights, of a certain and speedy restoration to them, under the Constitution and the laws.

"And, having thus chosen our course, without guile and with pure purpose, let us renew our trust in God, and go forward without fear and with manly hearts.

"July 4th, 1861. ABRAHAM LINCOLN."

The reading was interrupted with repeated applause in the House, by members and the galleries. In the Senate the expression of approval was made pleasingly manifest. No Congress convened since the adoption of the Constitution can be regarded as exceeding in importance this extra session; and this document, announcing the policy of the Administration, may be pronounced one of the most important that ever emanated from Executive hands. Its publication was awaited by the people with the most feverish anxiety. That it would meet the crisis manfully, patriotically, all regarded as certain; yet, there was experienced an agreeable surprise at its wholesome vigor and impressive earnestness. It impressed the reader, first, with a sense of its candor; second, with its kindness; third, with its truth; thus carrying conviction to the mind, and preparing it to accept the issue involved—the necessity for great sacrifices, great expense, great endurance, in sustaining the Executive. It is probable that no message, even upon the minor questions of Executive policy, ever met with such hearty and almost general approval among those still acknowledging the supremacy of the Federal Government.

The reports from the Secretaries of the Treasury, War and Navy were very lucid and admirable papers. Mr. Chase opened his budget, with its enormous estimates, with confidence. The amount submitted as requisite for the fiscal year of 1862 was set down at \$318,519,580. To raise this sum his suggestions were to increase the duty list of the tariff so as to make it net

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\$57,000,000; to raise by direct taxation \$20,000,000; by loan from the people \$100,000,000, or so much as may be subscribed for, (on 7.30 per cent treasury notes, interest payable semi-annually, and redeemable at the pleasure of the United States after three years,) and \$140,000,000 or the amount requisite to make up \$240,000,000 by issue of Government bonds, of various denominations, redeemable in a period not exceeding thirty years, bearing an interest not exceeding seven per cent., and to be sold at not less than par value.

His exhibit of the condition of the finances, was as follows :

"The Secretary has already said that on the supposition that \$80,000,000 may be raised by taxation in the mode proposed, or derived from the sales of the public lands and miscellaneous sources, it will still be necessary, in order to meet the extraordinary demands of the present crisis, to raise the sum of \$240,000,000 by loans. A comparison of the acts by which loans have been already authorized and of the loans actually made, will show what resources of this description are available under the existing laws.

"The act of June 22d, 1860, authorized the borrowing of \$21,000,000, at an interest not above six per cent. Under this authority, Mr. Secretary Cobb, in October, 1860, negotiated a loan of \$20,000,000; but, from causes not necessary to be here specified, the takers of \$2,978,000 failed to make good their offers. The amount realized, therefore, was only \$17,022,000, leaving for future negotiation under the act the sum of \$3,978,000.

"The act of the 8th of February, 1861, authorized another loan of \$25,000,000 on bonds at six per cent., and permitted the acceptance of the best bids, whether above or below par. Under this act, in February, 1861, Mr. Secretary Dix disposed of bonds to the amount of \$8,006,000, at rates varying from 90.15 to 96.10 for each \$1,000, and realizing the sum of \$7,243,500.35, leaving to be negotiated the sum of \$16,994,000.

"The act of March 2d, 1861, commonly called the tariff act, authorized another loan of \$10,000,000, at an interest not exceeding six per cent., and also authorized the Secretary of the Treasury to issue treasury notes in exchange for coin or in payment of debts for the amount of any bids not accepted under the act of February 3d, 1861, and for the amount of any loan restricted to par, not taken under the proposals authorized by the act of January 18th, 1860, or by the tariff act itself.

"Under the acts of February and March, 1861, the present Secretary, in April, 1861, dis-

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posed of \$3,099,000 in bonds, at rates varying from eighty-five per centum to par, and \$4,901,000 in treasury notes at above par, realizing for the \$8,000,000 offered the sum of \$7,814,898 to the treasury, and in May, 1861, he further disposed of \$7,310,000.

"The present Secretary also invited proposals, at par, for \$13,978,000, being the balance of the loan authorized by the act of June, 1861. No bids were received except three for twelve thousand in the aggregate, which having been made under misapprehension, were permitted to be withdrawn, or applied as offers for treasury notes at par, or for bids under the act of February, at eighty-five per cent. The Secretary has since, under the authority of March, 1861, issued treasury notes to offerers at par, and in payment to public creditors to the amount of \$2,584,550.

"The only authority now existing for obtaining money by loans is, therefore, found in the act of the 2d of March, 1861, which authorizes the issuing of bonds bearing an interest of six per cent., or in default of offers at par, the issue or payment of treasury notes bearing the same rate of interest at par to the amount of \$10,000,000 in bonds at rates varying from eighty-five to ninety-three per cent., and \$1,684,000 in treasury notes at par, realizing for the \$8,994,000 offered, the sum of \$7,922,553.45; and in the act of June 22d, 1860, as modified by the act of March 2d, 1860, under which treasury notes at six per cent. may be issued or paid to creditors at par to the amount of \$11,393,450, making in all the aggregate of loans authorized in some form, \$21,393,450.

"This authority, under existing circumstances, is no further available than as creditors may desire to accept payment in treasury notes at six per cent., which is not to be expected except, perhaps, as an alternative for delays, of which a just or prudent Government will not, unless under extreme necessity, permit the occurrence. It needs no further argument to work the conviction that under the existing laws little or nothing of the required sum can be realized. The magnitude of the occasion requires other measures, as the contest in which the Government is now engaged is a contest for National existence and the sovereignty of the people."

He proposed articles to be added to the tariff schedule—enhanced the duties on others—suggested the reduction, by ten per cent., of salaries of Government employees—proposed the ways and means for opening and carrying out the National 7.30 per cent. loan



—suggested the propriety of his being authorized to issue, as a source of immediate revenue, small treasury notes to the amount of \$50,000,000, redeemable in one year, without interest. The Secretary anticipated no necessity of looking abroad for purchasers of the bonds, hoping that the sure basis of redemption created would, added to the patriotism of the people, suffice to absorb the entire amount required over and above the \$80,000,000 obtained from duties and direct taxation.

By studying the exhibit above it will be seen that the resources of the treasury were to be created almost anew. From having a surplus of \$60,000,000—as during the early part of Mr. Buchanan's term—it rested upon the verge of bankruptcy before the close of his Administration, and was only saved from that disgrace by the energy of, and confidence inspired among capitalists by, Mr. Dix during his brief service in the Department, [see Vol. I, pages 388–92.] Mr. Chase assumed the chest to find it in a “shinning” condition, with such demands upon it as never before were made of the Department. His early conduct of the finances challenged the admiration of friends, and turned the sneers of Foreign journals to exclamations of surprise.

Congress approved the Secretary's views and suggestions and afterwards adopted them with slight modifications.

Report of the Secretary of War.

To the report from Mr. Cameron, Secretary of War, public attention was particularly directed. As it embodied a *resume* of War affairs from his assumption of office up to July 1st, we transcribe those portions found to possess permanent historical interest:

“It forms no part of the duty of this Department to enter upon a discussion of the preliminary circumstances which have contributed to the present condition of public affairs. The secession ordinance of South Carolina was passed on the 20th of December last, and from that period until the majesty of the Government was made manifest, immediately after you had assumed the chief magistracy, the conspirators against its Constitution and laws have left nothing undone to perpetuate the memory of their infamy. Revenue steamers have been deliberately betrayed by their commanders, or, where treason could not be brought to consummate the defection, have been

overpowered by rebel troops at the command of disloyal Governors. The Government ar-

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senals at Little Rock, Baton Rouge, Mount Vernon, Apalachicola, Augusta, Charleston and Fayetteville, the ordnance depot at San Antonio, and all the other Government works in Texas, which served as the depots of immense stores of arms and ammunition have been surrendered by the commanders or seized by disloyal hands. Forts Macon, Caswell, Johnson, Clinch, Pulaski, Jackson, Marion, Barrancas, McKee, Morgan, Gaines, Pike, Macomb, St. Phillip, Livingston, Smith, and three at Charleston; Oglethorpe Barracks, Barrancas Barracks, New Orleans Barracks, Fort Jackson on the Mississippi; the battery at Bienvenue, Dupre, and the works at Ship Island have been successively stolen from the Government or betrayed by their commanding officers. The Custom Houses at New Orleans, Mobile, Savannah, Charleston, and other important points, containing vast amounts of Government funds, have been treacherously appropriated to sustain the cause of rebellion. In like manner the Branch Mints at New Orleans, at Charlotte, and at Dahlonega have been illegally seized, in defiance of every principle of common honesty and honor. The violent seizure of the United States Marine Hospital at New Orleans was only wanting to complete the catalogue of crime. The inmates, who had been disabled by devotion to their country's service, and who there had been secured a grateful asylum, were cruelly ordered to be removed, without the slightest provision being made for their support or comfort. In Texas the large forces detailed upon the frontier for protection of the inhabitants against the attacks of marauding Indians, were ignominiously deserted by their commander, Brigadier-General Twiggs. To the infamy of treason to his flag was added the crowning crime of deliberately handing over to the armed enemies of the Government all the public property entrusted to his charge, thus even depriving the loyal men under his command of all means of transportation out of the State.

“A striking and honorable contrast with the recreant conduct of Brigadier-General Twiggs and other traitorous officers has been presented in the heroic and truly self-sacrificing course pursued by Major Robert Anderson and the small and gallant band of officers and men under his command at Fort Sumter, and also by Lieutenant Adam Slemmer, his officers and men, at Fort Pickens. In referring, with strongest commendation, to the conduct of these brave soldiers, under the trying circumstances which surrounded them, I only echo the unanimous voice of the American people.



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this connection it is a pleasurable duty to refer to the very gallant action of Lieutenant

Roger Jones at Harper's Ferry, and the handsome and successful manner in which he executed the orders of the Government at that important post.

"The determination of the Government to use its utmost power to subdue the rebellion, has been sustained by the unqualified approval of the whole people. Heretofore the leaders of this conspiracy have professed to regard the people of this country as incapable of making a forcible resistance to rebellion. The error of this conclusion is now being made manifest. History will record that men who, in ordinary times, were solely devoted to the arts of peace, were yet ready, on the instant, to rush to arms in defense of their rights when assailed. At the present moment the Government presents the striking anomaly of being embarrassed by the generous outpouring of volunteers to sustain its action. Instead of laboring under the difficulty of monarchical Governments—the want of men to fill its armies (which in other countries has compelled a resort to forced conscriptions)—one of its main difficulties is to keep down the proportions of the army, and to prevent it from swelling beyond the actual force required.

"The commanding officers of the regiments in the volunteer service, both for the three months' service and for the war, have, in many instances, not yet furnished the Department with the muster rolls of their regiments. For the want of these returns it is impossible to present as accurate an enumeration of the volunteer force accepted and in the field as could be desired. Under the proclamation issued by you on the 15th of April last, the Governors of different States were called upon to detach from the militia under their command a certain quota, to serve as infantry or riflemen, for the period of three months, unless sooner discharged. The call so made amounted in the aggregate to ninety four regiments, making 73,391 officers and men. Of the States called upon, the Governors of Virginia, North Carolina, Tennessee, Arkansas, Kentucky and Missouri, promptly refused to comply with the requirements made by the Department. All the other States promptly furnished the number required of them, except Maryland, whose Governor, though manifesting entire readiness to comply, was prevented from so doing by the outbreak at Baltimore.

"In the States of Virginia and Missouri, notwithstanding the positive refusal of their executive officers to co-operate with the Government, patriotic citizens voluntarily united together and organized regiments for the Government service. Delaware and Virginia furnished each a regiment, both of

which are on duty in the field.

In a similar patriotic spirit, the loyal people of Missouri raised a

force of eleven thousand, four hundred and forty-five officers and men, making, in round numbers, twelve organized regiments, to sustain the Government and to put down rebellion in that State. And so, also, the citizens of the District of Columbia, emulating these honorable examples, furnished no less than two thousand, eight hundred and twenty-three officers and men, making in all four full regiments, all of which are yet in the field, doing active and efficient service. Thus, notwithstanding the refusal of disloyal Governors to respond, the Government, instead of having been furnished with only the number of troops called for under your proclamation of the 15th of April last, has received and has now in service under that call, in round numbers, at least eighty thousand.

"Under your second proclamation of the 4th of May last, calling for volunteers to serve during the war, there have been accepted up to this date two hundred and eight regiments. A number of other regiments have been accepted, but on condition of being ready to be mustered into the service within a specified time, the limitation of which has, in some instances, not expired. It is not possible to state how many of these may be ready before the meeting of Congress. Of the regiments accepted, all are infantry and riflemen, with the exception of two battalions of artillery and four regiments of cavalry. A number of regiments mustered as infantry have, however, attached to them one or more artillery companies, and there are also some regiments partly made up of companies of cavalry. Of the two hundred and eight regiments accepted for three years, there are now one hundred and fifty-three in active service, and the remaining fifty-five are mostly ready, and all of them will be in the field within the next twenty days.

"The total force now in the field may be computed as follows :

Regulars and volunteers for three months and the war.....	235,000
Add to this fifty-five regiments of volunteers for the war, accepted and not yet in service.....	50,000
Add new regiments of regular army..	25,000
	<hr/> 75,000

Total force now at command of Government .....	310,000
Deduct the three months' volunteers.....	80,000
Force for service after the withdrawal of the three months' men.....	230,000

"It will thus be perceived that after the discharge of the three months' troops, there will be still an available force of volunteers amounting to one hundred and eighty-eight thousand, which, added to

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the regular army, will constitute a total force of two hundred and thirty thousand officers and men. It will be for Congress to determine whether this army shall, at this time, be increased by the addition of a still larger volunteer force.

"The extraordinary exigencies which have called this great army into being have rendered necessary also a very considerable augmentation of the regular arm of the service. The demoralization of the regular army, caused by the treasonable conduct of many of its Commanding-officers, the distant posts at which the greater part of the troops were stationed, and the unexampled rapidity of the spread of the rebellion, convinced those high in command of the service, as well as this Department, that an increase of the regular army was indispensable. The subject was accordingly brought to your attention, and after careful examination an increase was authorized by your proclamation issued on the 4th of May last.

"This increase consists of one regiment of cavalry, of twelve companies, numbering, in the maximum aggregate, eleven hundred and eighty-nine officers and men; one regiment of artillery of twelve batteries, of six pieces each, numbering, in the maximum aggregate, nineteen hundred and nine officers and men; nine regiments of infantry, each regiment containing three battalions of eight companies each, numbering, in the maximum aggregate, two thousand four hundred and fifty-two officers and men, making a maximum increase of infantry of twenty-two thousand and sixty-eight officers and men.

"In the enlistment of men to fill the additional regiments of the regular army, I would recommend that the term of enlistment be made three years, to correspond with the call of May 4th, for volunteers; and that to all who shall receive an honorable discharge at the close of their term of service a bounty of one hundred dollars shall be given.

"The mounted troops of the old army consist of five regiments, with a maximum aggregate of four thousand four hundred and sixty men. Not more than one-fourth of these troops are available for service at the seat of war. At least two regiments of artillery are unavailable, being stationed on the western coast and in the Florida forts.

"The increase of infantry is comparatively large, but this arm of the service is that which the General-in-Chief recommended as being most efficient.

"The organization of the increased force, it will be noticed, is different from that of the old army. This question was fully considered by officers of the army connected with this Department, and after much deliberation it was concluded to adopt the French regimental system of three battalions to a

regiment. Each battalion is commanded by a Major, with a Colonel and Lieutenant-Colonel

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for the general command of the regiment. This, it is believed, is the best organization now existing. The number of field officers is less than under the old plan, and, therefore, much less expensive. Whether this organization may not advantageously be extended to the old army, after the passage of a law providing for a retired list, is a question which may properly engage the attention of Congress.

"In making the selection of officers for the new regiments, two courses only seemed to be open—viz: to make the appointments from the regular service by seniority or by selection. The first appeared liable to the objection that old, and in some instances inefficient men would be promoted to places which ought to be filled by younger and more vigorous officers. The second was liable to the grave objection that favoritism might prejudice the claims of worthy officers.

"After the fullest consideration it was determined, under the advice of the General-in-Chief, to appoint one-half of them from the regular army and the other half from civil life. Of the civilians appointed as regimental commanders, all except one are either graduates of West Point, or have before served with distinction in the field; and of the Lieutenant-Colonels, Majors, Captains and First Lieutenants, a large proportion have been taken from the regular army and the volunteers now in service, while the Second-Lieutenants have been mainly created by the promotion of meritorious Sergeants from the regular service.

"In view of the urgent necessity of the case these preliminary steps to the augmentation of the regular service have been taken, and it now remains for Congress, should it sanction what has been commenced, to complete the work by such legislation as the subject may require. A similar increase of the army, under like circumstances, was made in 1812. At the close of the war, the force in service being found too large and too costly for a peace establishment, a reduction was ordered to be made, under the supervision of a board of officers, specially organized for the purpose. At the close of the present struggle, the reduction of the present force may be accomplished in like manner, if found then to be larger than the public necessities require. In making any such reduction however, a just regard to the public interests would imperatively require that a force amply sufficient to protect all the public property, wherever it may be found, should be retained.

"I cannot forbear to speak favorably of the volunteer system, as a substitute for a cumbrous ar



dangerous standing army. It has, heretofore, by many been deemed unreliable and ineffi-

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cient in a sudden emergency, but actual facts have proved the contrary. If it be urged that the enemies of order have gained some slight advantage at remote points, by reason of the absence of a sufficient regular force, the unexampled rapidity of concentration of volunteers already witnessed is an ample refutation of the argument. A Government whose every citizen stands ready to march to its defense can never be overthrown; for none is so strong as that whose foundations rest immovably in the hearts of the people.

"The spectacle of more than a quarter of a million of citizens rushing to the field in defense of the Constitution, must ever take rank among the most extraordinary facts of history. Its interest is vastly heightened by the lavish outpouring from States and individuals of voluntary contributions of money, reaching an aggregate thus far of more than ten millions of dollars. But a few weeks since the men composing this great army were pursuing the avocations of peace. They gathered from the farm, from the workshop, from the factory, from the mine. The minister came from his pulpit, the merchant from his counting-room, the professor and student from the college, the teacher and pupil from the common school. Young men of fortune left luxurious homes for the tent and the camp. Native and foreign born alike came forward with a kindred enthusiasm. That a well-disciplined, homogeneous and efficient force should be formed out of such a seemingly heterogeneous mass appears almost incredible. But what is the actual fact? Experienced men, who have had ample opportunity to familiarize themselves with the condition of European armies, concede that, in point of *personnel*, this patriot army is fully equal to the finest regular troops of the Old World. A more intelligent body of men, or one actuated by purer motives, was never before marshaled in the field.

"The calling forth of this large and admirable force, in vindication of the Constitution and the laws, is in strict accordance with a wise prudence and economy, and at the same time in perfect harmony with the uniform practice of the Government. At three years ago, when the authority of the nation was contemptuously defied by the Mormons in Utah, the only safe policy consistent with the dignity of the Government was the prompt employment of such an overwhelming force for the suppression of the rebellion as removed all possibility of failure. It will hardly be credited, however, that the following language in relation to that period was penned by John B. Floyd, then Secretary

of War, and now actively engaged in leading the rebel forces, who have even less to justify their action than the Mormons:

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"When a small force was sent to Utah, the Mormons attacked and destroyed their trains, and made ready for a general attack upon the column. When a sufficient power was put on foot to put success beyond all doubt, their bluster and bravado sank into whispers of terror and submission. This movement upon that Territory was demanded by the moral sentiment of the country, was due to a vindication of its laws and Constitution, and was essential to demonstrate the power of the Federal Government to chastise insubordination and quell rebellion, however formidable from numbers or position it might seem to be. Adequate preparations and a prompt advance of the army, was an act of mercy and humanity to those deluded people, for it prevented the effusion of blood."

"I recommend the same vigorous and merciful policy now."

The point here made against his predecessor—one of the most infamous of all the conspirators whom it was Mr. Buchanan's misfortune to have in his counsels and confidence—was forcible and searching.\* The report then proceeds to consider in detail the various steps taken in perfecting the several arms of the service, the subsistence and medical departments, &c. Especial attention was directed to the "startling defection" of the West Point graduates, but for whose desertion of their flag the rebellion never could have gained much front. Mr. Cameron found the root of the evil to lie in the defective moral instruction of the Military Academy, whereby the pupil was taught to substitute habit for conscience. He called upon Congress to examine into the matter. The report was accompanied by the Adjutant-General's returns of forces in the several military departments for the month of June, giving Butler an aggregate (officers and men) of 9,978; McDowell, 16,610; Colonel Cooke, (Utah,) 629; General Sumner, (Department of the Pacific,) 3,426; Colonel Loring, (New Mexico,) 2,498; Department of the West, including all the forts on the Upper Missouri and Mississippi, 2,655; Colonel Brown, (Department of Florida,) including Forts Pickens, Jeffers-

\* The same point could have been made against Mr. Cobb. That individual once uttered strong anti-secession sentiments. [See page 53, vol. I.] So of Mr. Stephens. Inconsistency and desertion of principles, however, were but minor sins of the conspiracy of which these men were directing spirits.



son and Key West, 1,453; General Wool, (Department of the East,) including the New York Harbor and vicinity forts, 784; General Patterson, 17,188: General Mansfield, in command at Washington, 34,160.

Report of the Secretary of the Navy.

To the report of the Secretary of the Navy less importance was attached by the public, but, to the reflecting few it assumed an importance exceeding that of all other departments. To the Navy Department was committed the responsible and onerous task of effecting and sustaining the blockade; of creating expeditions against insurgent ports; of sweeping privateers from the sea; of co-operating with the land forces in carrying forward campaigns by inland water courses as well as by sea; and, finally, of sustaining the honor and prestige of our flag in event of foreign interposition in American affairs. After adverting to the weakness of the Navy when the new Administration came into power—to the loss of the Norfolk Navy-Yard property through the unaccountable inaction of Commodore Macauley—to the extraordinary measures which had to be called into requisition in order to meet demands made upon the Department—the Secretary thus stated the force at his command and its distribution up to that date (July 4th, 1861):

“Of the sixty vessels carrying thirteen hundred and sixteen guns, hereinbefore mentioned as available for service on the 4th of March last, the sloop *Levant* has been given up as lost in the Pacific; the steamer *Fulton* was seized at Pensacola; and one frigate, two sloops and one brig were burnt at Norfolk. These vessels carried one hundred and seventy-two guns. The other vessels destroyed at Norfolk were considered worthless, and are not included in the list of available vessels.

“These losses left at the disposal of the Department sixty-two vessels, carrying eleven hundred and seventy-four guns, all of which are now, or soon will be, in commission, with the exception of the

<i>Vermont</i> , ship-of-the-line.....	84	Guns.
<i>Brandywine</i> , frigate.....	50	“
<i>Decatur</i> , sloop, at San Francisco.....	16	“
<i>John Hancock</i> , steam tender, at San Fran'co	3	“

“There has been recently added to the Navy, by purchase, twelve steamers, carrying from two to nine guns each, and three sailing vessels. There have been chartered nine steamers, carrying from

two to nine guns each. By these additions the naval force in commission has been increased

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to eighty-two vessels, carrying upwards of eleven hundred guns, and with a complement of about thirteen thousand men, exclusive of officers and marines. There are also several steamboats and other small craft, which are temporarily in the service of the Department.

“Purchases of sailing ships have been made for transporting coals to the steamers that are performing duty as sentinels before the principal harbors. It would be inexpedient and attended with much loss of time, as well as great additional expense, to compel the steamers when short of fuel to leave their stations and proceed to the nearest depot, distant in most cases several hundred miles, to obtain a supply. In the absence of any proper or suitable stations or buildings for storing coals, hulks have been provided, to be anchored at some convenient place for the use of the squadron.

“The squadron on the Atlantic coast, under the command of Flag Officer S. H. Stringham, consists of twenty-two vessels, two hundred and ninety-six guns and three thousand three hundred men.

“The squadron in the Gulf, under the command of Flag Officer William Mervine, consists of twenty-one vessels, two hundred and eighty-two guns, and three thousand five hundred men.

“Additions have been made to each of the squadrons, of two or three small vessels that have been captured and taken into the service. The steamers *Pawnee* and *Pocahontas*, and the flotilla under the late Commander Ward, with several steamboats in charge of naval officers, have been employed on the Potomac river, to prevent communication with that portion of Virginia which is in insurrection. Great service has been rendered by this armed force which has been vigilant in intercepting supplies and in protecting transports and supply vessels in their passage up and down the Potomac.

“The squadron in the Pacific, under the command of Flag Officer John B. Montgomery, consists of six vessels, eighty-two guns and one thousand men.

“The West India squadron is under the command of Flag Officer G. J. Pendergrast, who has been temporarily on duty, with his flag-ship, the *Cumberland*, at Norfolk and Hampton Roads, since the 23d of March. He will, at an early day, transfer his flag to the steam frigate *Roanoke*, and proceed southward, having in charge our interests on the Mexican and Central American coasts, and in the West India Islands.

“The East India, Mediterranean, Brazil and African squadrons, excepting one vessel of each of the two latter, have been recalled.



"The return of these vessels will add to the force of service in the Gulf and on the Atlantic coast about two hundred guns and two thousand five hundred men."

Regarding resignations in the Navy up to that time (July 4th), the Report presented a less dishonorable record than the Army lists would show, of desertions and dismissals from the service. Two hundred and fifty-nine officers was the number named as having "resigned" their commissions or as having been dismissed the service, from the 4th day of March.

The Report succinctly referred to the various necessities of the service; to the steps taken in establishing efficiency; to the subject of iron floating batteries; to the slavers captured; to the Naval Academy, &c., &c.—the Secretary adding, in conclusion:

"In discharging the duties that pertain to this department, and which have devolved upon it during the brief period it has been entrusted to my hands, I have shrunk from no responsibilities; and in some instances, the letter of the law has been transcended, it was because the public necessities required it. To have declined the exercise of any powers but such as were clearly authorized and legally defined, when the Government and the country were assailed and their existence endangered, would have been an inexcusable wrong and a cowardly omission. When, therefore, the Navy was called into requisition to assist not only in maintaining the Constitution and to help execute the laws, but to contribute in upholding the Government itself against a great conspiracy, I did not hesitate, under your direction, to add to its strength and efficiency by chartering, purchasing, building, equipping, and manning vessels, expanding the organization and accepting the tender of services from patriotic individuals, although there may be no specific legal enactment for some of the authority that has been exercised."

Opposition to the President's course.

Among the early resolutions introduced was one covering the procedure of the President and his Secretaries in meeting the un contemplated dangers which had arisen during the interval of the sessions. This attempted justification excited the violent opposition in the Senate, of Powell and Breckenridge, of Kentucky, Kennedy, of Maryland, Polk, of Missouri; and, in the House, of Burnett, of Kentucky, Vallandigham and Pendleton, of Ohio, Wood, of New York,

and one or two others. Their points of exception, and their feelings regarding the coercive course to be pursued towards the insurgent States, may be inferred from this abstract of remarks made, July 10th, in the Senate, by Mr. Polk:

"The Senator spoke at some length in opposition to the resolution of justification and endorsement of the President, and referred to the momentous character and preparations for war, which are monstrous in character. The President made this war when Congress was the only power which could make war. He contended that the President could not, by proclamation, create insurrection and be arbiter of whether insurrection existed. The Constitution says no preference shall be given to States in the matter of revenue, yet the President had gone far beyond that, and blockaded the ports of several States. Further, the President has increased the army, when there was no law for it. The President also suspended a writ of *habeas corpus*, which even the king of England could not do. He honored the Chief-Justice (Taney) for his opposition to this assumption of authority. It is justified by the plea of necessity, but no necessity had been shown. Necessity is always the tyrant's plea, all the world over. The President had even gone beyond that, and proclaimed martial law—a thing not mentioned in the Constitution; and the security of persons guaranteed by the Constitution had been violated. He could not approve of the acts of the President in thus violating the Constitution. The State of Missouri had obstructed no law whatever of the United States, and yet that State, under no pretext of law, had been invaded by United States troops from Iowa and Kansas. Mr. Polk then proceeded to argue that the President had no right to invade a State, and no right to give the power to proclaim martial law to a mere Captain. He then referred to the acts of Captain Lyon, and in some detail to the occurrences in the city of St. Louis, which he characterized as illegal and unconstitutional. He also referred adversely to the course of General Harney. He was willing to do anything to put a stop to this unholy war; he would do nothing to continue it."

Senator Polk's Opposition Views.

These were, substantially, the points made by others in the two Houses who opposed the war. Kennedy, of Maryland, strenuously regarded the suspension of the *habeas corpus* act as an arbitrary, unconstitutional, and unjustifiable exercise of Executive authority. Mr. Breckenridge, in his

Mr. Breckenridge's Opposition.



Mr. Breckenridge's  
Opposition.

speech of July 16th, elaborated the points already urged by his colleague (Powell,) and by the two Missouri Senators, (Johnson and Polk.) He declared against the constitutional right of one branch of the Government to indemnify another branch for an unconstitutional or doubtful exercise of authority. His argument, on this head, was very strong. He assumed that the powers conferred on the Government by the people of the States are the measure of its authority. These powers are confided to different departments, and their boundaries are determined. The President has rights and powers conferred, and the Legislative Department its powers, and the Judicial Department its powers, and he denied that either can encroach on the other, or indemnify the other for usurpations of the power conferred by the Constitution. Congress has no more right to make constitutional the unconstitutional acts of the President than the President to make valid the acts of the Supreme Court encroaching on the Executive power, or the Supreme Court to make valid an act of the Executive encroaching on the Judicial power. The resolution of indemnity substantially declared that Congress may add to the Constitution or take from it in a manner not provided by that instrument; that a bare majority can by resolution make that constitutional which is unconstitutional by the same authority; hence, in whatever view, the power granted by the resolution was utterly subversive of the Constitution.

He proceeded to point out the several acts which he regarded as clearly unconstitutional. They were:

- 1st. The blockade.
- 2d. The enlisting of men for the war.
- 3d. Increasing the regular (standing) army.
- 4th. Increasing the navy.
- 5th. Suspension of the *habeas corpus* act.
- 6th. The promulgation of martial law.
- 7th. The suppression of the freedom of speech and freedom of the press.

To the substantiation of his opposition he threw himself entirely upon the constructive unconstitutionality of these several acts, and therefore denied the President's right to enforce them. The Senator did not, singularly

enough, refer to the extraordinary circumstances surrounding the President—

to the danger of the total subversion of the Government—to the *repudiation of that precious Constitution by those for whom he then claimed its protection*: all these did not enter into his technical disquisition. It was enough that the Constitution did not provide for its own preservation for him to demand that its powers could not be exceeded. His words were

"Let Congress approve and ratify these acts, and there may occur a necessity which will justify the President in superseding the law in every State in this Union; and there will not be a vestige of civil authority left to rise against this usurpation of military power. But I deny this doctrine of necessity. I deny that the President of the United States may violate the Constitution on the ground of necessity. The doctrine is utterly subversive of the Constitution. It substitutes the will of one man for a written Constitution. The Government of the United States, which draws its life from the Constitution, does not rest upon an implied consent. It rests upon an express and written consent, and the Government may exercise such powers as such only as are given in this written form of Government. The people of these States conferred on this agent of theirs just such powers as they deemed necessary. All others were retained. The Constitution was made for all contingencies—for peace and for war; and they conferred all the power they deemed necessary, and more cannot be assumed. If the powers be not sufficient, still none others were granted, and none others can be exercised. Will this be denied? Is the idea to be advanced that Constitutional questions are to be made subordinate entirely to the opinions and ideas that may prevail at the hour with reference to political unity? It has been held heretofore, and I thought it was axiomatic and received by the world, that the terms of the Constitution of the United States were the measure of power on the one side, and of obedience on the other. Let us take care how we establish a principle that, under any presumed stress of circumstances, powers not granted may be assumed. Take care and do not furnish an argument to the world and history that it shall not respect that authority which no longer respects its own limitations."

These words served as a text for all the treasonable declamation afterwards uttered

in the Northern States; and instances were not rare where this plea of the Constitutional inability of the Government to p

Mr. Breckenridge's  
Opposition.

"Constitutional  
Rights of Traitor



"Constitutional"  
Rights of Traitors.

tect itself were urged in  
*justification* of the revolutionists! Of course Mr.

Breckenridge on the 4th of July, 1861, was with the South, heart and soul; and, without doubt, he visited Washington to cripple legislation so far as possible, but, more particularly, to *create those "Constitutional" issues upon which the party of which he was the leader might rally and reorganize as a peace party.* We are led to conclude, from the course he soon afterward pursued, and from the revelations that have, from time to time, been made, of the secret proceedings of the conspirators, that Mr. Breckenridge's sole object in attending the extra session was to strike that key-note of opposition to the Administration which should create a friendly element—a "Constitutional party"—for secession and revolution in the North. That he succeeded well was painfully apparent in the utterance of sympathy for the South, upon *Constitutional* grounds, by certain journals and persons whose reiterated devotion to the Constitution was but a pusillanimous pretext to cover their own treason.

Comparatively little reply was made by the friends of the Administration to this speech by the Kentucky Senator. Andrew Johnson, of Tennessee, made the most lengthy defense of the President offered. His argument was one of loyalty rather than of technical constitutional construction. The Union was in danger of subversion—treason was besieging the Nation's Capital—the Constitution was contemned—compromise was scoffed at—therefore it was right for the President to have pursued the course he did in meeting the danger. It was for the good of the country, and that was all-sufficient for his defense, if, indeed, any defense were needed.

The President not endorsed.

Several members believed the President did right in his forced measures, rather than that he acted strictly within the limits prescribed by the Constitution. Thus, Mr. Sherman, of Ohio—a leading Republican

—did not believe the right of suspension of the writ of *habeas corpus* rested with the President, nor that he had the power to increase the standing army; but, for all that, he (Mr. S.) thought the President acted for the best. Thompson, of New Jersey, took the same view.

The joint resolution of indemnity was not pressed to a vote in the Senate. There unquestionably existed a dislike to establish a precedent for extra-constitutional procedure, or for endorsing the arbitrary suspensive acts of the President. Nevertheless, Congress did not fail to sanction his entire proceedings by its cheerful endorsement of his policy and views, by voting more men and money than he called for, by confirming his appointments, and, finally, by inserting in one of its acts a clause which virtually gave the seal of indemnity to the steps taken by the Executive. Mr. Breckenridge remarked upon the introduction of the clause, by amendment, that he recognized in it his "old friend"—the act of indemnity.

We need not here cite the proceedings of that extra session. That they were of a thoroughly warlike nature and well calculated to meet the great crisis fully, the world soon learned. There never was so great unanimity in legislation. Even those "conservatives" who stood by the Crittenden compromise to the last, during the previous session—even Mr. Crittenden himself—forgot all in the patriotic purpose of sustaining the Administration. The number of those who sought to cripple war legislation were counted upon the fingers of the hand.

No Congress legislated upon matters of greater moment. The emergency demanded talent of a high order to divert the mighty energies of the country from a peace to a war establishment. That talent was not wanting. Many minds in that Congress were fully qualified for the labors imposed upon it. The Treasury, the War and the Navy Departments all were vivified, and sprang at once into a vigor gratifying to all loyal hearts, discouraging to the disloyal.



## CHAPTER II.

### ABILITY OF THE LOYAL STATES TO SUSTAIN A STATE OF WAR.

Opposition to  
Taxation.

LONG-CONTINUED prosperity under the benign influences of peace had not rendered the American people indifferent to taxes and public burdens. On the contrary, with growth in wealth the study of legislators has been to impose as few direct assessments as possible; and, at the hustings, he was the most favored candidate who proclaimed as his "platform" a reduction of taxes and fiscal economy in the management of public affairs. Most unfortunate was it for the political standing of the office-seeker, if his name had been associated with any enterprise which should add, for its consummation, to the tax lists of the year.

In view of this sensibility on the question of direct taxes, our economists have tenaciously adhered to the tariff principle, in providing for the expenses of the General Government. The amounts annually required were comparatively easy to obtain by this indirect mode of subtraction; whereas, if the tariff were abrogated and free trade proclaimed, there would be no inconsiderable trouble for the National Government to secure its means of sustenance. In that event, the expense account of every vessel in the navy would be overhauled by the people; every army ration would pass under their scrutiny; every Government employee would have his hours of labor and his wages promptly regulated by the trades' standard; accountability would be affixed to every contract and contractor; in fact, Government would be crippled by a system of economy, which, though having its virtues, would soon restrict the energies and paralyze the prestige so necessary in every commanding power. The tariff offered all the revenue required, while it encouraged several petty questions in political, commercial and industrial

polity, with which to make party issues, and to divert the people, in the absence of more exciting subjects for the canvass.

Opposition to Taxa-  
tion. The Tariff.

For two generations prior to the year 1862, the people knew little or nothing of national taxes save by the slightly enhanced prices of foreign importations; yet these goods, manufactured by the half-paid labor of English and French soil, were supplied to our people, even with the tariff duty added, at such prices as rendered them cheap for all. The woman of 1860 must have been poor, indeed, who could not sport her gown of silk and mantle of lace. When, therefore, the question of providing for the enormous expenditures of war came to be discussed, increase of the tariff duty was deemed a feasible mode of securing fifty millions per annum—a sum which, if used to pay interest, might represent five hundred millions and a sinking fund for its redemption. But, this representative sum was only the first conception of our national wants. While it might do to issue notes and bonds based upon duties, it became a question if the tariff would produce, under the depressing influences of war, sufficient to meet the rapidly maturing principal and interest of the old debt, much less provide for the large semi-annual per centum of new obligations. And, after awhile, when the rebellion dragged its slow length along, and was not suppressed—when five hundred millions *per year* represented the cost of the Union, Americans, for the first time in the history of the Republic, had to meet the dreaded responsibility of a great national debt.

The old adage—"misery loveth company"—was verified, in this case; for our people and journalists were not long in discovering that should the debt accumulate at the rate indicated, we still should find other Government



The Public Debt. more deeply indebted than ourselves, with vastly less resources to draw upon than here were available. This, though offering a consoling thought, did not bring relief from the apprehension growing in strength daily, viz.: that the country must become burdened with a debt which it would require years of exaction and depression to discharge. This apprehension, though not groundless, still afforded no just cause for alarm. Alarmists in 1861-62 consisted of two classes, namely: secret sympathizers with the South, and those who, professing loyalty, filled the ears of their constituents with exaggerated estimates of evils to flow from the war, thus repressing enthusiasm and, in various ways, giving Government but a qualified support. It will be well for us to recur to the question of our ability to sustain a war of magnitude, in order to demonstrate the actual strength of the country, and thus to prove how groundless have been the fears of bankruptcy and ruin which afforded a sounding theme to the two classes named above.

Public Debt of Foreign Governments. A comparative statement of the indebtedness of other countries will not be uninteresting, while it will offer us the strength of the inferential proposition, viz.: that, if those countries, with their resources, can sustain their loads of indebtedness, the United States, with its almost boundless means, is prepared to carry an equal or greater burden of debt with less assistance from home and foreign capital.

M. Kolb, a German statist, gives us, in his work on the condition of Europe in 1860, the following table of the receipts and expenses of the several Kingdoms—(the figures representing millions of francs):

	Receipts.	Expenses.
Great Britain.....	1,073	1,703
France.....	1,800	1,800
Russia.....	1,034	1,114
Austria.....	695	788
Prussia.....	502	494
Germany (small states).....	510	535
Italy.....	505	517
Switzerland.....	25	25
Belgium.....	145	145
Netherlands.....	165	168
Denmark.....	48	48
Sweden.....	37	37
Norway.....	26	26

	Receipts.	Expenses.
Spain.....	498	498
Portugal.....	75	78
Greece.....	20	20
Turkey.....	165	168
	7,953	8,784

Multiplying each amount by 200,000, (the number of dollars in a million of francs,) we have the sum reduced to dollars.

These are current receipts and expenditures, not providing for the standing indebtedness of each Government. The same authority fixes this indebtedness at these figures:

Great Britain.....	19,791 millions.
France.....	10,627 "
Russia.....	6,440 "
Austria.....	6,000 "
Spain.....	3,874 "
Holland.....	2,269 "
Italy.....	2,195 "
Germany (small states).....	2,103 "
Prussia.....	1,047 "
Portugal.....	723 "
Turkey.....	682 "
Belgium.....	590 "
Denmark.....	309 "
Greece.....	265 "
Sweden.....	92 "
Norway.....	44 "
Switzerland.....	5½ "

Giving a grand total of fifty-seven thousand millions of francs, or something like twelve thousand millions of dollars!

The financial condition of Great Britain alone affords data for useful estimates. In spite of the enormity of her indebtedness, and her increasing annual expenditures, that Government is steadily and effectually clearing off its old obligations. It is being done by taxation, of course; in the wealth and energies of a people lie all the resources of recuperation. McCullough estimates the amount of burdens imposed upon the British people to be so admirably levied as to consume *one fifth* of the income of every inhabitant of the three countries—a statement which would seem incredible were it not placed beyond question. The secret of the success in obtaining the enormous amount yearly required, without exciting the people to revolt, is found in the nicely-balanced dissemination of the tax over the field of available wealth. But a small portion of the revenue is obtained from assessments on property. Of the taxes of all kinds collected for 1860, amounting to £70,809,977, land and assessed taxes produced only

The Financial Condition of Great Britain.



£3,241,107 ; leaving £67,568,870 raised upon consumption, chiefly of luxuries. Of this sum the customs produced £23,396,395 ; ex-cise, £20,070,000 ; stamps, £8,267,258 ; post-office, £3,370,000 ; income tax, £3,012,935.

This system of taxation originated with the elder Pitt. During the first four years, 1793-97, of the war with France, the budget was chiefly sustained by loans ; but, as the war called for the exercise of more vigor, the Prime Minister at once resolved to throw upon the people the burdens of the war. At that time the population of Great Britain numbered but eight and a half million of souls ; but, from that body, the gigantic re-sources necessary to fight Napoleon were drawn. Having matured his plans, Pitt pro-ceeded to inaugurate them ; and the secret of that twenty-three years' struggle is found in the ready response of the people to the Minister's demands. What those demands were may be inferred from the fact that the tax for 1801 was equal to thirty per cent. of the incomes of the people ! Were the people of America to reflect on this fact they would realize that, in England, they have an antag-onist who may safely defy numbers because her people submit cheerfully to unlimited taxation in order to sustain the power and *prestige* of their Government.

Cost of War with  
Napoleon.

In order more fully to  
impress the minds of our  
readers with the vastness

of the expenditures made by Great Britain  
to sustain her supremacy over France, during  
the twenty-three years referred to, we append  
the following table, explanatory of itself :

	War Expense.		War Income.	
	Interest of Debt.	Cost of Army and Navy.	Loans.	Taxes.
1793.....	\$48,556,190	\$67,555,000	\$22,500,000	\$85,352,000
1794 ....	51,983,225	101,235,000	55,000,000	86,544,056
1795.....	63,499,655	143,755,000	90,000,000	89,292,270
1796.....	73,825,475	160,825,000	127,500,000	93,638,860
1797.....	77,876,650	138,030,000	162,500,000	103,273,250
1798.....	84,436,995	129,910,000	85,000,000	151,014,525
1799.....	87,800,635	136,285,000	92,500,000	176,149,840
1800.....	92,914,750	148,065,000	102,500,000	169,482,320
1801.....	99,099,195	134,990,000	140,000,000	170,754,800
1802.....	100,342,755	115,605,000	125,000,000	186,201,065
1803.....	104,064,810	105,530,000	76,014,625	188,345,316
1804.....	108,294,450	154,270,000	100,521,105	226,297,210
1805.....	112,841,795	181,095,000	139,657,410	249,291,405
1806.....	115,982,910	186,530,000	102,430,775	266,521,127
1807.....	116,865,460	186,088,000	119,446,285	291,051,125
1808.....	117,925,065	193,890,000	102,383,850	307,691,035
1809.....	121,461,380	210,365,000	117,023,455	317,026,470
1810.....	122,715,810	216,230,000	112,214,394	333,406,830
1811.....	127,423,835	239,840,000	137,084,145	323,819,350
1812.....	134,269,230	248,695,000	201,258,445	315,829,175
1813.....	149,468,685	274,360,000	270,134,110	334,629,75
1814.....	155,028,220	301,195,000	235,798,485	348,420,960
1815.....	163,228,090	216,410,000	230,448,015	352,017,210

This, be it mindful, was drawn not from the Great Britain of to-day, but from a popula-tion of 9,187,176 in the year 1800, 12,609,864 in 1811, and 15,000,000 in 1815. In 1811 the proportion of tax to incomes was equivalent to 42 per cent. of the gross incomes of the en-tire population of the kingdom ! In 1815 the proportion had fallen to 35 per cent. A people who would submit to such a drain upon their earnings may well be deemed invincible. As a specimen of the distribution made, to obtain these amounts, we append the schedule list of taxes collected in 1814 :

Excise.....	\$116,850,275	Hereditary revenues	\$866,335
Customs .....	59,036,615	War customs ...	14,207,030
Stamps.....	32,464,025	War excise.....	33,635,145
Land and Assessed	39,559,690	Property tax....	76,137,500
Post-office .....	11,747,595	Income tax .....	1,570
Pensions.....	160,285	Lottery.....	1,639,035
Hackney coaches and hawkers...	254,375	Miscellaneous ...	1,300,815

These fruitful figures we  
do well to repeat, since the  
American people are slow  
to realize how favored they have been in their comparative immunity from taxes for the support of their National establishment ; and when, out of the boundless abundance of their resources—rendered boundless by the beneficent nature of the Government—they are asked to contribute a mere fraction of their resources to sustain the Republic, they should find their lips forever sealed to com-plaint in view of what Englishmen have done for England. A writer on this period of Great Britain's history says : " During the whole period from 1793 to 1835, the energies and resources of the British people were put to the severest trial. A large proportion of the wealth-producing classes was sent abroad in the army or navy, or employed in unpro-ductive labor. Subsidies and loans were ad-vanced to foreign Powers. The home markets were not, as in our present struggle, benefited by the war funds being spent in the country. Commerce was for years preyed on by hostile cruisers. English goods were prohibited from entering the continent of Europe. Yet amidst much individual suffering, and in spite of all that a Napoleon, wielding the strength of the twenty-eight millions of France, could do for its destruction, the British nation pros-pered and grew rich with a rapidity and steadiness seldom seen in the history of na-tions. The war cry seemed to rouse the en-

A Lesson in  
Patriotism.



ergetic masses of the British people from their lethargy. The indomitable spirit which gave victory to battalions in the field, fired the hearts of the peaceful workers of the productive army at home, and stirred all classes and all men to labor, to save and to accumulate capital. Hence, in the words of one of England's greatest statesmen, "commerce and war flourished side by side and both achieved unwonted victories."

American Supremacy  
of Domain, &c.

As compared with the population of Great Britain in 1861, that of the loyal

States, including Maryland, Delaware, Western Virginia, Kentucky and Missouri, was about equal to that of England and Wales. [See tables, vol. I., pages 27, 28, for statistics.] Our wealth and breadth of domain was at once our weakness and our strength—our weakness, because it embodied vast estates with small population: our strength, because those estates produced such limitless quantities of grain and animal food. If Great Britain contained the most people, the elements to sustain her population did not rest with her, and British gold flowed freely to our shores for the food we could spare from our abundance. This surplus alone offered the loyal States all the funds necessary, from abroad, to make up what was wanted in currency for commercial transactions, leaving the means of our capitalists at liberty to operate in Government paper. This ease in the money market did not fail to excite the astonishment of our enemies, at home and abroad; for, so wretchedly blinded were even intelligent men not conversant with our commercial elasticity, that ruin was predicated as in store for the North if the rebellion were not soon suppressed. To that class of philosophers Cotton alone was King; wanting it, England and France would intervene and give the Southern Confederacy independence; wanting it, Northern looms and commerce would languish and stagnation would visit all our marts. Such were their short-sighted but confident assumptions.

If the war wrought much evil it also wrought much good; and not the least good was that it taught the Southern Slave States and their sympathizers in Europe how really inconsiderable a portion of the wealth and

resources of this country was cotton. Thus, the tonnage carried by the rail-

Resources of the  
North.

roads of the State of Massachusetts for 1859 was 3,716,726 tons, worth, at the very low valuation of \$100 per ton, \$371,672,600. The tonnage of the Erie Canal and the Erie and New York Central railroads for 1860 were 6,767,736 tons, worth at least \$676,773,600—making an internal commerce for the two States alone exceeding \$1,000,000,000 in value. As this consisted almost wholly of the products of the West, and of the commerce created thereby in goods and trade with that section, it will be perceived that cotton could offer but little in comparison with such a trade. The loyal States, in 1860 had, to do this traffic, 28,600 miles of railroad, costing \$950,000,000, and 5,000 miles of canal, costing \$200,000,000. If the annual value of the trade of the public works of New York and Massachusetts, with a mileage of 5,160 miles, was equal to \$1,000,000,000, that of the remainder of the loyal States, with a railroad and canal mileage of 23,500 miles, must surely have amounted to a sum twice as large or \$2,000,000,000. To all this internal commerce cotton contributed only in a small and comparatively inappreciable degree—most of it finding its way to market by river and sea transportation. The traffic in cotton was nothing to the North and West.

The assessed value of taxable property in the State of New York, in 1860, was \$1,430,000,000; of Massachusetts, \$897,000,000; of Ohio, \$880,000,000, &c., &c. Run these estimates through the eighteen loyal States, and what a sum for economists to regard! The capital employed in manufacturing, in the United States, in 1860, was \$1,959,000,000—the value of the annual product was \$1,900,000,000. Nearly or quite six-eighths of this amount belonged to the loyal States. It is no wonder that, in view of such a basis of solid worth behind our Government, its paper commanded a premium in one of the shrewdest money marts in the world. A system of taxation on the North one half as rigid as that practised by Great Britain on its people, for years, during its wars with Napoleon, would produce a fund equivalent to keeping one million of men constantly in the field.



Cost of  
European Wars.

The cost of the Crimean war to the parties engaged was stated by Mr. Robb to

be, in francs, as follows:

Great Britain.....	1,950,000,000
France.....	2,284,000,000
Turkey .....	758,000,000
Sardinia .....	59,000,000
Russia.....	1,291,000,000
Austria .....	546,000,000
Other States.....	132,000,000
Total.....	7,000,000,000

The cost of the Italian war (1859) given by the same authority, was:

Austria .....	612,000,000
France .....	360,000,000
Sardinia.....	177,000,000
Germany (placing on a war footing).....	184,000,000
Total .....	1,333,000,000

Here we have an expenditure of *eight and one-third thousand millions* of francs, or about fifteen hundred millions of dollars, as the sum extracted by taxation from the people of Europe. Such enormous expenditures are appalling; yet they did not prevent those very Governments from maintaining permanent military establishments of a character which, in this country, would be equivalent to a heavy war footing. How little we know of the burdens of war, after all, when compared to those borne by the peoples of Europe! But, to lighten our burdens, light as they are, we have the consciousness of a just cause; while in the Old World the sword is drawn in the old cause of crowns and dynasties, only granting to the people a mere change of masters and tax-gatherers. The *people* there are nothing but servants to advance the interests of courts and crowns.

Available Forces for  
War Service.

As to the forces here available for defense and offense, we have ready

means of computation by applying the rules which prevail in Europe—where a given population supplies a given body of men for the ranks. The population is stated to be as follows:

	Population.	Army.	Average.
Austria.....	35,000,000	630,000	55
Spain.....	15,000,000	230,000	61
France .....	30,000,000	515,000	70
Holland.....	3,500,000	60,000	58
Prussia.....	18,000,000	375,000	48
Russia.....	72,000,000	800,000	90

This average is thus seen to be highest in Prussia, where one man in every forty-eight

of the population (which, of course, means all ages, sexes and conditions) is required to keep up the contingent. Apply that rule to our country—or say one person to every fifty of our population—and the Free States alone would have about four hundred thousand men to furnish as a standing force, whose absence would scarcely be felt in the avenues of production and trade. The tables would stand, in round numbers:

	Population.	Soldiers.
Maine .....	620,000	12,400
New Hampshire.....	326,000	6,520
Vermont.....	326,000	6,520
Massachusetts.....	1,230,000	24,620
Rhode Island.....	274,000	5,480
Connecticut.....	460,000	9,200
New York.....	3,350,000	77,000
Pennsylvania.....	2,916,000	58,320
New Jersey.....	676,000	13,520
Ohio.....	2,377,000	47,540
Indiana.....	1,350,000	27,000
Illinois.....	1,691,000	33,820
Michigan .....	754,000	15,000
Wisconsin .....	763,000	15,260
Iowa.....	682,000	13,640
Minnesota .....	172,000	3,440
Kansas.....	143,000	2,860
Oregon .....	52,000	1,040
California.....	384,000	7,680
Territories.....		5,000
Total.....		385,860

What can be done in case of need has been illustrated by our late experiences in placing an army of one million of men in the field. From these experiences none can doubt our ability to raise one and a half million if such a number were required by any misfortune of foreign interference or invasion.

It was proclaimed, in secession circles, and reiterated by those organs in Europe which were, like the *London Times*, engaged in the especial work of discouraging sympathy for the cause of the Union, that the Northern people and Northern wealth *would not* submit to the taxation requisite to maintain an army of one million of men in the field. But, malice, in this case, was confronted by facts more significant than patriotic arguments. It is known that scarcely a city in the East or West, which had been moved by the spirit of local improvement, but had voluntarily voted to tax its people at rates which in many instances, amounted to three per cent of the valuation of all property in the county or town. Such a tax imposed for the benefit

Readiness of Americans to bear burdens.



of Government on the total valuation of property in the Union, in 1860, viz: \$11,296,306,942 would produce a fund capable of wiping out our entire National debt in a brief period. The tax imposed on the city of New York, for several years prior to 1862, for municipal and State purposes alone, if assessed for the General Government would net an amount sufficient to pay the annual interest on a National debt of \$1,200,000,000. Averse as the people are to taxes, when they see their own personal good in taxation they bear any necessary burden cheerfully.

Still other facts are at hand to show the readiness of the Northern people to submit to patriotic burdens. The amount of contributions in 1861-62 throughout the land, to the outfit of regiments, to the sick and wounded, to bounties, if it could be obtained, would be found to exceed one hundred millions of

dollars—all the free-will offerings of a patriotic people. Count in the direct losses (estimated at two hundred and twenty millions of dollars) sustained by the infamous repudiation of Northern debts by the Southern people, months *before* they could urge the base pretexts afterwards covered by secession, and it will be seen that no people on the earth have, in a briefer period, sacrificed more in the cause of their country. The masses are inimical to taxation; but, let them feel that their cause is just and there is no end to the sacrifices which they will make. They only ask that the great principle of human rights and a popular Government shall be sustained, in any contest into which they are drawn, to give to it sympathy, men, means, to a limitless extent. Where there is not the clearly defined assurance of a just cause, no nation is more unwilling to sustain heavy burdens than ours.

### CHAPTER III.

THE ADVANCE MOVEMENT UPON MANASSAS. COMPOSITION OF THE ARMY. OCCUPATION OF FAIRFAX AND CENTREVILLE. CONTEST AT BLACKBURN'S FORD. BATTLE OF BULL RUN. A FEDERAL VICTORY AND A FEDERAL ROUT. REVIEW OF THE CAUSES OF THE DISASTER.

Design of the  
Advance.

THE advance against Richmond was arranged for early in July. Scott's

design was to push the lines of *permanent* defense of Washington eventually on to the capital of Virginia, thus at once securing the safety of the National Capital, the loyalty of Maryland, and restoring Virginia to the Union. The campaign of the northern Potomac, under Patterson, was organized as a part of the advance, really comprising the centre, while McClellan, in Western Virginia, represented the Federal right. The forces under McDowell, stretching along the Potomac at Washington, comprised the left,

though upon them devolved the duty of the main advance upon Manassas.

Design of the  
Advance.

A strong party-spirit prevailed in and out of Congress as to the best policy to pursue. A majority seemed to demand an immediate advance upon Richmond—the minority deemed the danger of a defeat too great to warrant such an advance until an army of conquest was thoroughly equipped, drilled and effective in transportation, artillery, and with reserves enough for holding every inch of soil secured. That Scott was of this latter class was one reason of the clamor "on to Richmond!" which became a rallying cry, design-



Design of the  
Advance.

ed to force the Commander-in-Chief out of his known policy of delay. That it prevailed so far as to induce an onward movement in July, appeared to be assured; but, it is not certain that Scott would have failed to order that advance had there been no clamor for it. The expiration of the service of the first seventy-five thousand men called out, doubtless induced the Commander-in-Chief to use them in throwing his permanent lines forward as far as Manassas Junction, which, being in his possession, must compel the evacuation, by the enemy, of Fredericksburg. Thus the direct way to Richmond for a fall campaign would be opened along two railroad routes, while the centre and left columns could, at their leisure, push down from their respective bases. That nothing further than to dislodge the enemy from Manassas was Scott's immediate purpose—that no actual advance “on to Richmond,” was arranged for—we deem to be a fixed fact. This being conceded, the censures heaped upon the War Department for its inefficient transportation pass for naught; while the loss of the field at Bull Run assumes no greater dimensions than the loss of the movement on Manassas, for which Patterson doubtless was responsible. For the demoralization which followed that extraordinary defeat, the disintegration of the army by the expiration of the time of the three-months regiments will be found to have been the prime cause, for which there was little or no remedy. In passing judgment on the disaster at Bull Run, the mistake has been committed of considering it the loss of a campaign against Richmond. As no “campaign” was designed none was lost; only a check was experienced in extending our lines around Washington and pushing the enemy back from the Potomac, from Cumberland to Fredericksburg on the Rappahannoc. That check was, in truth, a sad repulse, leaving our lines in an exposed condition; but, it served to convince the country of the wisdom of Scott's early determination not to press the advance against Richmond until the volunteers were converted into steady and efficient soldiers.

The arrangements for an onward movement became apparent as early as July 4th, when

large requisitions were made for transportation, munitions

The Advance.

and stores.\* By July 10th the camps east of the Potomac in the vicinity of the Capital began to break up, and regiment after regiment passed over the bridges, and down to Alexandria by transports. It was not, however, until July 10th, that the order was issued (General Order No. 15) detailing special instructions for the march. Three days cooked rations were to be in haversack; all regimental baggage not absolutely necessary was dispensed with. The Army of Advance, was, on that day, announced to be organized as follows:

The Grand Army.

## GENERAL COMMANDING.

Brigadier-General Irwin McDowell.

## STAFF.

Captain James B. Fry, Assistant Adjutant-General.  
First Lieutenant H. W. Kingsbury, Major C. S. Brown, Major James S. Wadsworth, Aids.  
Major W. H. Wood, Acting Inspector-General.  
Major J. G. Barnard, Lieutenant F. E. Prime, Engineers.  
Captain A. W. Whipple, Lieutenant H. L. Abbott, Lieutenant H. S. Putnam, Topographical Engineers.  
Captain O. H. Tillinghast, Assistant Quarter-master.  
Captain H. F. Clark, Commissary of Subsistence.  
W. S. King, Surgeon.  
D. L. Magruder, Assistant Surgeon.

## ARMY ORGANIZATION—FIRST DIVISION.

Brigadier-General Daniel Tyler, commanding.

## FIRST BRIGADE,

Colonel E. D. Keyes, commanding.

First regiment Connecticut volunteers, Colonel Burnham.  
Second regiment Connecticut volunteers, Colonel Terry.  
Third regiment Connecticut volunteers, Colonel Chatfield.  
Second regiment Maine volunteers, Colonel Jameson.  
Eighth regiment New York volunteer battery, Captain Varian.  
Second regiment United States cavalry, company B, Lieutenant Tompkins.

## SECOND BRIGADE.

Brigadier-General R. C. Schenck, commanding.

First regiment Ohio volunteers, Colonel A. D. McCook.  
Second regiment Ohio volunteers, Colonel Harris.  
Second regiment New York State militia, Colonel Tompkins.  
Second regiment United States artillery, company E, light battery.

## THIRD BRIGADE.

Colonel W. T. Sherman, commanding.

Sixty-ninth regiment New York State militia, Colonel Corcoran.  
Seventy-ninth regiment New York State militia, Colonel Cameron.  
Thirteenth regiment New York volunteers, Colonel Quimby.  
Second regiment Wisconsin volunteers, Colonel Coon.  
Third regiment United States artillery, company E, light battery, Captain R. B. Ayres.

\* See McDowell's Report. He states that July 8th was the day fixed for the forward movement.



## FOURTH BRIGADE.

Colonel J. B. Richardson commanding.

Second regiment Michigan volunteers, Lieutenant-Colonel Chipman.

Third regiment Michigan volunteers, Colonel McConnell.

First regiment Massachusetts volunteers, Colonel Cowdin.

Twelfth regiment New York volunteers, Colonel Walrath.

## SECOND DIVISION.

Colonel David Hunter, commanding.

## FIRST BRIGADE.

Colonel Andrew Porter, commanding.

Battalion United States infantry (Second, Third and Eighth), Major G. Sykes.

Battalion United States marines, Major J. G. Reynolds.

Eighth regiment New York State militia, Colonel Lyons.

Fourteenth regiment New York State militia, Colonel Wood.

Twenty-seventh regiment New York volunteers, Colonel W. H. Slocum.

Second regiment United States cavalry, companies G and L, Major T. N. Palmer.

Fifth regiment United States artillery, company —, light battery, Captain Ransom.

West Point battery, Captain C. Griffin.

## SECOND BRIGADE.

Colonel A. E. Burnside, commanding.

First regiment Rhode Island volunteers, Lieutenant-Colonel J. S. Pitman.

Second regiment Rhode Island volunteers, Colonel Slocum.

Seventy-first regiment New York State militia, Colonel Martin.

Second regiment New Hampshire volunteers, Colonel Marston.

Second regiment Rhode Island volunteers, (light battery) Captain W. H. Reynolds.

Second regiment United States artillery, section of company A, Lieutenant A. S. Webb.

Siege Train, battery of eight rifled thirty-two pounders, Captain T. Seymour, of Fort Sumter.

## THIRD DIVISION.

Colonel S. P. Heintzelman, commanding.

## FIRST BRIGADE.

Colonel W. B. Franklin, commanding.

Fourth regiment Pennsylvania volunteers, Colonel Hartman.

Fifth regiment Massachusetts volunteers, Colonel Lawrence.

First regiment Minnesota volunteers, Colonel Gorman.

Second regiment United States cavalry, company E, Captain Lowe.

First regiment United States artillery, company I, (light battery.)

## SECOND BRIGADE.

Colonel O. B. Wilcox, commanding.

First regiment Michigan volunteers, Lieutenant-Colonel L. R. Comstock.

Fourth regiment Michigan volunteers, Colonel D. A. Woodbury.

Eleventh regiment New York volunteers, Colonel N. Farnham.

Second regiment United States artillery, company D.

## THIRD BRIGADE.

Colonel O. O. Howard, commanding.

Third regiment Maine volunteers, Lieutenant-Colonel I. N. Tucker.

Fourth regiment Maine volunteers, Colonel Berry.

Fifth regiment Maine volunteers, Colonel Donnell.

Second regiment Vermont volunteers, Colonel Whitney.

## FOURTH DIVISION. (Reserves).

Brigadier-General T. Runyon, commanding.

First regiment New Jersey militia, Colonel Johnson.

Second regiment New Jersey militia, Colonel Baker.

Third regiment New Jersey militia, Colonel Napton.

Fourth regiment New Jersey militia, Colonel Miller.

First regiment New Jersey volunteers, Colonel Montgomery.

Second regiment New Jersey volunteers, Colonel McLean.

Third regiment New Jersey volunteers, Colonel Taylor.

## FIFTH DIVISION.

Colonel Dixon S. Miles, commanding

## FIRST BRIGADE.

Colonel Lewis Blencker, commanding.

Eighth regiment New York volunteers, Lieutenant-Colonel Stahel.

Twenty-ninth regiment New York volunteers, Colonel Von Steinwehr.

Garibaldi Guard New York volunteers, Colonel d'Utassy.

Twenty-seventh regiment Pennsylvania volunteers, Colonel Max Einstein.

## SECOND BRIGADE.

Colonel T. A. Davies, commanding.

Sixteenth regiment New York volunteers, Lieutenant-Colonel S. Marsh.

Seventeenth regiment New York volunteers, Colonel Lansing.

Eighteenth regiment New York volunteers, Colonel Jackson.

Thirty-first regiment New York volunteers, Colonel C. C. Pratt.

Thirty-second regiment New York volunteers, Colonel Matteson.

Second regiment United States artillery, company G., light battery, Lieutenant Green.

Second regiment United States artillery, company A, battery, Captain W. F. Barry.

This general organization was maintained throughout the succeeding conflict, though several brigades were strengthened much by additional regiments, while the division of Colonel Miles was detached as the reserve after Centreville was occupied.

By the order of march, Order of the March. July 16th, Tyler's division pushed out from Falls Church, where it had for some days been quartered, with instructions to pass by way of Vienna to Germantown. Tuesday night (16th) it bivouacked at and around Vienna, four and a half miles from Fairfax Court House.

Hunter's division pressed to the same point (Fairfax C. H.) by the direct road from Arlington. McDowell accompanied this division.

Heintzelman's division proceeded from Alexandria by the old Fairfax and Pohick road, and bivouacked Tuesday night at Pohick Creek. At three A. M. Wednesday morning the division moved on to the Sangster Station Cross-Roads, Franklin's brigade on the advance. Several rebel battalions fell back before this brigade, passing Sangster's Sta-



tion only a short time previous to Franklin's arrival. Franklin had turned off at the Cross-Roads to cut off communication on the railway at Sangster. Wilcox's brigade pushed on to Fairfax Station, while Heintzelman with Howard's brigade and Captain Lowe's cavalry remained at the Cross-Roads. About two P. M. Wilcox occupied Fairfax Station, securing eleven prisoners. He reported that a large number of infantry and horse escaped towards his left. As Franklin was in that direction, he hoped for their capture, but no further prisoners were secured.

Miles marched by the Little River turnpike. This division found much obstruction in the way, but moved rapidly forward and kept pace with the other columns.

Attack on Fairfax  
Court House.

On the morning of the 17th McDowell ordered a direct movement upon Fairfax, where the enemy, it was supposed, would make a firm stand. The place was represented as fortified, and held by a heavy body of troops under General Bonham, of South Carolina. Hunter's division was chosen for the main attack, and the second brigade (Colonel Burnside) was given the advance. "The first barricade, made of trees felled and thrown across the road, delayed the head of the division only a few minutes. This was encountered about three miles from the Court House. It was cautiously examined by the skirmishers, (Second Rhode Island,) but no sign of a rebel force was discovered. The pioneers soon cleared the road with their axes. The barricade was erected at the foot of a long hill, the top of which was covered with a dense thicket, affording an excellent covert for sharp-shooters. The second barricade, of a similar character, was quickly cleared. The third barricade was more formidable. It was at the entrance of a deep cut in the road, commencing about half-way up a steep hill, crowned on one side with a thick woods and on the other by an open field. To pass this a road was made through the field, enabling the army to pass around it. At this point there were stationed two hundred rebel cavalry, who, without waiting to ascertain the strength of the advancing force, fled upon the first appearance of the skir-

mishers, firing at them one rifle shot, which did no harm."

Attack on Fairfax  
Court House.

At this point it was ascertained that, one half-mile ahead, a regular fortification, with a strong battery, was planted, defended by about two thousand men. Further reports by the people magnified the rebel force in and around Fairfax Court House until three regiments were made to number ten or twelve thousand. McDowell resolved to drive in directly upon them, let them number any amount—feeling secure in the mettle of his men. The reported fortification was encountered about half a mile from the Court House. It consisted of a single intrenchment, extending for about four hundred yards on each side of the road, pierced for eight guns. The embrasures were formed of sand-bags, and so placed as to command the road. The works stretched along the top of a steep hill, at the foot of which meandered a muddy creek. The trees upon the hill-side for a distance of an eighth of a mile had been cut down to allow no cover from the guns. These works had been occupied for about three weeks by the Second and Third South Carolina regiments, under Bonham. The Second Rhode Island men were the first in the intrenchments. The whole rebel force fell back toward Centreville—but one prisoner being secured, a South Carolina officer. Abundant evidence abounded to prove how rapid must have been the retreat. Sacks of flour, meat, clothing, arms, equipments and camp utensils, everywhere were scattered over the ground, and the camp fires, prepared for the noon meal, were still brightly burning. The main body of Bonham's force had left with haste only about two hours before the arrival of the head of Burnside's column.

At the moment of its occupation firing was heard off to the left, where Miles' division encountered and quickly sent flying the Fifth Alabama regiment, securing all its tents, stores, &c. Tyler's brigades reached Germantown (one mile west of Fairfax) but a few moments too late to bag the South Carolinians, who passed through the village only about one half-hour prior to the arrival of Keyes' regiments. The enemy had appeared



in considerable force all along Tyler's route from Vienna, and several fresh earthworks were found, proving that the rebels designed to make a stand, but had not time to perfect their intrenching.

Fairfax Court House village was fully occupied on the 17th.

McDowell's Report. Tyler's brigade occupied Germantown and the road towards Centreville. McDowell reported, on the morning of the 18th, as follows:

"The First division, under General Tyler, is between Germantown and Centreville.

"The Second (Hunter's) is at this place, just about to move forward to Centreville.

"The Fifth (Miles') is at the crossing of the old Braddock road with the road from this to Fairfax Station, and is ordered forward to Centreville by the old Braddock road.

"Barrey's battery has joined it.

"One of Colonel Heintzelman's brigades (Wilcox's) is at Fairfax Station.

"Colonel Heintzelman and his other brigade are below the Station, but he has not reported to me since we have been here, and I have not been able to communicate with him. I think they are at Sangster's Station. The four men wounded yesterday belonged to Colonel Miles' division, who had some slight skirmishing in reaching the position.

"Each column encountered about the same obstructions, trees felled across the road, but the axemen cleared them out in a few moments.

"There were extensive breastworks thrown up at this place, and some of them with embrasures resetted with sand-bags. Extensive breastworks were also thrown up at the Fairfax railroad station, and the road leading to Sangster's.

"A great deal of work has been done by them, and the number and size of their camps show they have been here in great force.

"Their retreat, therefore, must have a damaging effect upon them. They left in such haste, that they did not draw in their pickets, who came into one of our camps, thinking, as it occupied the same place, that it was their own.

"The obstructions to the railroad, in the vicinity of the station, including the deep cut filled in with earth, &c., can be cleared out in a few hours. The telegraph poles are up, with the wires on them. I look to having railroad and telegraph communication in a very short time.

"Much flour, some arms, forage, tents, camp equipage, &c., were abandoned by them.

"I am distressed to have to report excesses by our troops. The excitement of the men found vent

in burning and pillaging, which, however, was soon checked. It distressed us all greatly. I go to Centreville in a few moments."

McDowell, feeling certain that Beauregard would make a stand on Bull Run,

A flank movement designed.

three miles beyond Centreville, ordered Tyler on to the latter place, on the morning of the 18th, which, being taken, he was to hold, preparatory to the concentration there of the several divisions, except Heintzelman's. With this fine division the General designed a *flank movement* upon Manassas Junction, *by way of Brentsville*. He (Mc D.) was at Sangster's station, arranging with Heintzelman for the movement, when news came of a heavy fight going on at Bull Run. This sudden and unlooked-for encounter compelled a change of plans, and Heintzelman was ordered to Centreville to await the result of the demonstrations which it was thought the enemy had determined to make upon that point.

Tyler, in his report of the affair of the 18th, states that, at nine A. M., Richardson's brigade reached Centreville to find that the place had been evacuated during the previous night—one division having moved away by the Warrenton turnpike, in the direction of Gainesville, and the others towards Blackburn's Ford, over Bull Run Creek.

The Battle of Blackburn's Ford.

Richardson hastened on, however, towards the Ford, halting his brigade on an eminence one mile beyond Centreville. There he was joined by Tyler, when the two commanders started forward for a reconnoissance, accompanied by two companies of infantry and a squadron of cavalry. The enemy was discovered in position behind batteries, over the Run—their batteries enfilading the approach to the Ford. A battalion of light infantry was ordered forward to skirmish, while Ayres' battery of rifled guns was put in readiness for action on the crest of the hill occupied by the brigade. Sherman's brigade was detailed as a reserve. Ayres opened on the enemy, but elicited only a few return shots—thus failing to "draw out" the covert force. Tyler then ordered Richardson to advance his entire brigade, at the same time ordering out skirmishers to scour the thick woods



The Battle of Black-  
burn's Ford.

that covered the entire valley through which the creek swept. The skirmishers did their duty with alacrity, and, ere long, came out near the Ford, on the road, *having discovered no enemy*. Still assured of the presence of the foe, and resolved to unmask his position, as well as to determine his force, Tyler ordered two twelve-pound howitzers from Ayres' battery, to a position close to the stream, with Captain Brackett's squadron of calvary as a support. This movement called out Beauregard's fire. In a brief period the entire bottom along the creek was alive with fire, front and flank, indicating the considerable force of the Confederates, showing their artillery to be numerous, and occupying effective positions. Tyler stated in his report, that, having secured the exposure by the enemy of their whereabouts, the reconnoissance would have ended; but Richardson, having ordered the Twelfth New York, Colonel Walrath, to deploy into line and advance in the woods, the fight became furious for the moment. The enemy, well masked, received the advance with such a searching fire as put most of the regiment to rout—parts of companies A., Captain M. H. Church, and I., Captain H. A. Barnum, only keeping the field. Richardson, to press his advance, had ordered the First Massachusetts, and the Second and Third Michigan, to the support, designing to force the enemy out of their positions by assault. But Tyler, having ordered Ayres and Captain Brackett from the field, and seeing the rout of the Twelfth, recalled the advancing regiments with the command to fall back upon the brigade position on the hill. Richardson begged hard to be permitted to make the attack, and was zealously seconded by the regimental officers; but Tyler forbade it. The division commander already had exceeded his orders in challenging an engagement. Ayres, after reaching the brigade position, opened fire on the enemy's two well masked batteries, with two twenty-pounders. Over four hundred shots were exchanged—the rebels answering gun for gun in the iron duel. No particular results followed. At night fall the brigade fell back upon Centreville, around which the other divisions were

rapidly pressing, hastened, as they had been, by the unexpected contest of the advance.

Beauregard was in command, in person, over the

The Battle of Black-  
burn's Ford.

stream. In his report he acknowledged the presence of "several brigades," and mentioned those of Ewell, Longstreet, D. R. Jones, Bonham, Cocke, Evans, and Early—naming the regiments, batteries, &c. Twenty regiments were indicated, sixteen detached guns and two full batteries, with over twenty companies of cavalry. Besides this force, he says he ordered up, *as a reserve*, "the effective men of six companies of the Eighth Louisiana and the Eleventh North Carolina regiments," which had just then reached Manassas *en route* for Winchester to reenforce Johnston. It will appear from this summary that Tyler encountered the full strength of Beauregard, whose troops were posted with skill in such positions as to sweep every approach and to command every creek and ford. It was well that the retreat was sounded; the entire Federal force might not only have been "bagged," but Centreville might have been reoccupied, though it is not probable that the rebel commander would have sacrificed his admirable positions over the creek for any partial advance. He knew the character of McDowell's force and was well informed of the Federal programme; he therefore chose to await the grand attack. That design was the secret of his not pushing and punishing Tyler more severely.

McDowell, as stated, was at Sangster's Station when the engagement occurred. He immediately, on hearing of it, hurried off to Centreville, to arrest it, if possible. The retreat had been ordered, however, when he reached the ground.

The Federal loss, as reported by Richardson, was nineteen killed, thirty-eight wounded, twenty-six missing, and four horses killed and eleven wounded. Beauregard reported his casualties at fifteen killed and fifty-three wounded—a large proportion of them mortally. The rebel commander in this report betrayed the failing for which he afterwards became distinguished—exaggerating the Federal losses and disasters. He said: "In the *cursor*y examination which was made by details from Longstreet's and Early's bri-



gades, on the 18th of July, of that part of the field immediately contested, and near Blackburn's Ford, some sixty-four corpses were found and buried, and at least twenty prisoners were also picked up, besides one hundred and seventy-five stand of arms, a large quantity of accoutrements and blankets, and quite one hundred and fifty *hats*." He also added what was strictly true:

"The effect of this day's conflict was to notify the enemy that he could not force a passage across Bull Run in the face of our troops, and led him into the flank movement of the 21st of July and the battle of Manassas."

McDowell's Preliminary Arrangements.

After this affair McDowell massed his troops at and around Centreville preparatory to forcing Beauregard back upon and out of Manassas Junction. That he did not attack his antagonist on the morning of the 19th, was owing to several causes, not the least of which was the general disorder that reigned in the march and trains. The troops being new, with brigade commanders whose only experience had been in single regiments—with division commanders of comparatively small experience in such extended capacity—with regimental officers of whom very few knew military duty from active service in time of war—it is not strange that the army resembled a half-trained, rather than a finely ordered, legion, working with precision, and available for duty at an hour's warning. McDowell also desired to determine the enemy's disposition and force with more definitiveness than had resulted from Tyler's reconnoissance at the Ford. He farther proposed to avoid the batteries which Tyler had unmasked, and, by *turning* Beauregard's lines, to strike upon his rear, thus to reach the Manassas Gap railway and cut off the expected reinforcements from Winchester. This programme necessitated careful disposition of the forces to cover his exposed left, and the presence of a full force of artillery for the advance and the reserves. There was delay in this disposition, owing to some confusion in the commands and to the non arrival of munitions and rations for a long sustained conflict. The interval was devoted to throwing up defenses at Centreville, and on the hill commanding Black-

burn's Ford, so as to provide for the contingencies of a demonstration on his left. Senator Chandler, in his speech on the causes of the disaster at Bull Run,\* imputes the defeat in part to that three days' delay; but his citations of reasons for it are too meagre to do the commanding General justice. The assurance that General Scott and the War Department gave, that Patterson would so engage Johnston as to *prevent* his junction with Beauregard, unquestionably led McDowell into the delay: if that assurance had been sustained, and Patterson had done as ordered and expected, the three days could have done nothing for the Confederates, but much for the Federal army.

The Secretary of War, his assistant, and one of General Scott's aids, visited Centreville, Saturday, to consummate all needful arrangements prior to the engagement. They returned Saturday evening, confident of McDowell's ability to sustain his position, and satisfied with his plans to force the rebels out of their chosen positions. A council of war was held Saturday evening, at which McDowell unfolded his plans and promulgated his orders (General Order, No. 22), as follows:

Order of Battle.

"The enemy has planted a battery on the Warrenton turnpike to defend the passage to Bull Run; has seized the stone bridge and made a heavy abattis on the right bank, to oppose our advance in that direction. The ford above the bridge is also guarded, whether with artillery or not is not positively known, but every indication favors the belief that he proposes to defend the passage of the stream.

"It is intended to turn the position, force the enemy from the road that it may be re-opened, and, if possible, destroy the railroad leading from Manassas to the valley of Virginia, where the enemy has a large force. As this may be resisted by all the force of the enemy, the troops will be disposed as follows:

"The First division, General Tyler's, with the exception of Richardson's brigade, will, at half-past two o'clock in the morning precisely, be on the Warrenton turnpike to threaten the passage of the bridge, but will not open fire until daybreak.

"The Second division (Hunter's) will move from its camp at two o'clock in the morning precisely, and led by Captain Woodbury, of the Engineers, will, after passing above the ford at Sudley's

\* See Appendix, page 494.



Spring, and then turning down to the left, descend the stream and clear away the enemy who may be guarding the lower ford and bridge. It will then bear off to the right and make room for the succeeding division.

"The Third division (Heintzelman's) will march at half-past two o'clock in the morning, and follow the road taken by the Second division, but will cross at the lower ford after it has been turned as above, and then, going to the left, take place between the stream and Second division.

"The Fifth division (Miles') will take position on the Centreville Heights (Richardson's brigade will, for the time, form part of the Fifth division, and will continue in its present position.) One brigade will be in the village, and one near the present station of Richardson's brigade. This division will threaten the Blackburn ford, and remain in reserve at Centreville. The commander will open fire with artillery only, and will bear in mind that it is a demonstration only he is to make. He will cause such defensive works, abattis, earthworks, &c., to be thrown up as will strengthen his position. Lieutenant Prime, of the Engineers, will be charged with this duty.

"These movements may lead to the gravest results, and commanders of divisions and brigades should bear in mind the immense consequences involved. There must be no failure, and every effort must be made to prevent straggling.

"No one must be allowed to leave the ranks without special authority. After completing the movements ordered, the troops must be held in order of battle, as they may be attacked at any moment. By command of

"Brigadier-General McDOWELL.

"JAMES B. FRY, Adjutant-General."

An additional order to the division commanders instructed them to the following effect: "That an equal distribution of the subsistence stores on hand may be made immediately to the different companies in their respective commands, so that they shall be provided for the same number of days, and that the same be cooked and put in the haversacks of the men. The subsistence stores now in the possession of each division, with the fresh beef that can be drawn from the chief commissary, must last to include the 23d instant." This important order should be given all due prominence, since it is urged, even by some of the regimental officers, that the troops suffered for lack of food and water. If such want was experienced, whom shall we censure?

All day long of Saturday, the 20th, the rumble of heavy railway trains and the shrieks of steam-whistles were plainly heard by the reconnoitring parties, leading McDowell to fear that Johnston's forces from Winchester really were at hand. The fear, it will be seen by reference to Beauregard's report,\* was well-founded, for all that day the army from the Shenandoah valley was passing in upon Manassas, and, early Sunday morning, was on the field. It had been the purpose of the rebel commander to precipitate Johnston suddenly upon McDowell, on the 20th, before he should come out of Centreville, while Beauregard should throw his entire force over Bull Run, and, by the combined attack, to cut up the Union army. This plan was not carried out, we are informed by Beauregard, because of inadequate transportation for Johnston's troops. If that attack had been made, in all probability it would have ended in the utter defeat of the Confederates. The arrangements were made by them, however, without any fear or care of Patterson, whom Johnston prepared to leave at any moment. A vigorous blow struck at Winchester, on the 18th, would have placed it beyond Johnston's power to assist in crushing out McDowell.

The rebels reenforced.

The general movements of the momentous day, the 21st, we gather from the lucid report of McDowell, which we here give as a summary of the battle necessary to a clear comprehension of the several incidents of the victory and the defeat:

Battle of Bull Run.  
McDowell's Official  
Report.

"HEAD-QUARTERS, DEPARTMENT NORTH-EASTERN VIRGINIA, ARLINGTON, VIRGINIA, August 4th, 1861."

"Lieutenant-Colonel E. D. Townsend, Assistant Adjutant-General, Head-quarters of the Army, Washington, D. C.:

"COLONEL: I have the honor to submit the following report of the battle of the 21st of July, near Manassas, Virginia. It has been delayed until this time from the inability of the subordinate commanders to get earlier a true account of the state of their commands.

"In my communication to you of the 20th ult., I stated it as my intention to move that afternoon, and drive the enemy from the east side of Bull Run,

\* For Beauregard's Report see Appendix.



McDowell's Official  
Report.

so as to enable the engineers to make a sufficiently accurate reconnoissance to justify our future movements.

Later in the day they had obtained enough information of the passage across the stream to dispense with this reconnoissance, and it was decided to move without delay. It had been my intention to move the several columns out on the road a few miles on the evening of the 20th, so that they would have a shorter march in the morning; but I deferred to those who had the greatest distance to go, and who preferred starting early in the morning, and making but one move.

"On the evening of the 20th ult. my command was mostly at or near Centreville. The enemy was at or near Manassas, distant from Centreville about seven miles to the south-west. Centreville is a village of a few houses, mostly on the west side of a ridge running nearly north and south. The road from Centreville to Manassas Junction was along this ridge, and crosses Bull Run about three miles from the former place. The Warrenton Turnpike, which runs nearly east and west, goes over this ridge, through the village, and crosses Bull Run about four miles from it, Bull Run having a course between the crossing from north-west to south-east. The first division (Tyler's) was stationed on the north side of the Warrenton Turnpike, and on the eastern slope of the Centreville ridge, two brigades on the same road, and a mile and a half in advance, to the west of the ridge, and one brigade on the road from Centreville to Manassas, where it crosses Bull Run, at Blackburn's Ford, where General Tyler had the engagement of the 18th ult. The second division (Hunter's) was on the Warrenton Turnpike, one mile east of Centreville. The third division (Heintzelman's) was on a road known as the Old Braddock Road, which comes into Centreville from the south-east, about a mile and a half from the village. The fifth division (Miles') was on the same road with the third division, and between it and Centreville. A map which is herewith, marked A, will show these positions better than I can describe them. [See page 257.]

"On Friday night a train of subsistence arrived, and on Saturday its contents were ordered to be issued to the command, and the men required to have three days' rations in their haversacks. On Saturday orders were issued for the available force to march. As reported to you in my letter of the 19th ult., my personal reconnoissance of the roads to the south had shown that it was not practicable to carry out the original plan of turning the enemy's position on their right. The affair of the 18th at Blackburn's Ford showed he was too strong at that point for us to force a passage there without great

loss, and if we did that it would bring us in front of his strong position at Manassas, which was

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not desired. Our information was that the Stone Bridge, over which the Warrenton road crossed Bull Run, to the west of Centreville, was defended by a battery in position, and the road on his side of the stream impeded by a heavy abattis. The alternative was, therefore, to turn the extreme left of his position. Reliable information was obtained of an undefended ford about three miles above the bridge, there being another ford between it and the bridge, which was defended. It was therefore determined to take the road to the upper ford, and, after crossing, to get behind the forces guarding the lower ford and the bridge, and after occupying the Warrenton road east of the bridge, to send out a force to destroy the railroad at or near Gainesville, and thus break up the communication between the enemy's forces at Manassas and those in the valley of Virginia, before Winchester, which had been held in check by Major-General Patterson.

"Brigadier-General Tyler was directed to move with three of his brigades on the Warrenton road, and commence cannonading the enemy's batteries, while Hunter's division, moving after him, should, after passing a little stream called Cud Run, turn to the right and north, and move around to the upper ford, and there turn south and get behind the enemy. Colonel Heintzelman's division was to follow Hunter's as far as the turning-off place to the lower ford, where he was to cross after the enemy should have been driven out by Hunter's division, the fifth division (Miles') to be in reserve on the Centreville ridge.

"I had felt anxious about the road from Manassas by Blackburn's Ford to Centreville, along this ridge, fearing that while we should be in force to the front, and endeavoring to turn the enemy's position, we ourselves should be turned by him by this road; for if he should once obtain possession of this ridge, which overlooks all the country to the west to the foot of the spurs of the Blue Ridge, we should have been irretrievably cut off and destroyed. I had, therefore, directed this point to be held in force, and sent an engineer to extemporize some field-works to strengthen the position.

"The fourth division (Runyon's) had not been brought to the front further than to guard our communications by way of Vienna and the Orange and Alexandria Railroad. His advanced regiment was about seven miles in the rear of Centreville.

"The divisions were ordered to march at half past two o'clock A. M., so as to arrive on the ground early in the day, and thus avoid the heat which is to be expected at this season. There was delay in



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the first division getting out of its camp on the road, and the other divisions were in consequence between two and three hours behind the time appointed—a great misfortune, as events turned out. The wood road leading from the Warrenton Turnpike to the upper ford was much longer than we counted upon, the general direction of the stream being oblique to the road, and we having the obtuse angle on our side.

“General Tyler commenced with his artillery at half-past six A. M., but the enemy did not reply, and after some time it became a question whether he was in any force in our front, and if he did not intend himself to make an attack, and make it by Blackburn's Ford. After firing several times, and obtaining no response, I held one of Heintzelman's brigades in reserve in case we should have to send any troops back to reenforce Miles' division. The other brigades moved forward as directed in the general orders. On reaching the ford, at Sudley's Spring, I found part of the leading brigade of Hunter's division (Burnside's) had crossed, but the men were slow in getting over, stopping to drink.

“At this time the clouds of dust from the direction of Manassas indicated the immediate approach of a large force, and fearing it might come down on the head of the column before the division could all get over and sustain it, orders were sent back to the heads of regiments to break from the column and come forward separately as fast as possible. Orders were sent by an officer to the reserve brigade of Heintzelman's division to come by a nearer road across the fields, and an aide-de-camp was sent to Brigadier-General Tyler to direct him to press forward his attack, as large bodies of the enemy were passing in front of him to attack the division which had crossed over. The ground between the stream and the road leading from Sudley's Spring south, and over which Burnside's brigade marched, was, for about a mile from the ford, thickly wooded, while on the right of the road for about the same distance, the country was divided between fields and woods. About a mile from the road the country on both sides of the road is open, and for nearly a mile further large rolling fields extend down to the Warrenton turnpike, which crosses what became the field of battle through the valley of a small water course, a tributary of Bull Run.

“Shortly after the leading regiment of the first brigade reached this open space, and while others and the second brigade were crossing to the front and right, the enemy opened his fire, beginning with artillery, and following it up with infantry. The leading brigade (Burnside's) had to sustain this shock for a short time without support, and did it

well. The battalion of regular infantry was sent to sustain it, and shortly afterwards the other corps of Porter's brigade, and a regiment detached from Heintzelman's division to the left, forced the enemy back far enough to allow Sherman's and Keyes' brigades, of Tyler's division, to cross from their position on the Warrenton road. These drove the right of the enemy, understood to have been commanded by Beauregard, from the front of the field, and out of the detached woods, and down to the road, and across it up the slopes on the other side. While this was going on, Heintzelman's division was moving down the field to the stream, and up the road beyond. Beyond the Warrenton road, and to the left of Sudley's Spring, is a hill with a farm house on it. Behind this hill the enemy had, early in the day, some of his most annoying batteries planted. Across the road from the hill was another hill, or rather elevated ridge, or table of land.

“The hottest part of the contest was for the possession of this hill, with a house on it. The force engaged here was Heintzelman's division, Wilcox's and Howard's brigades on the right, supported by part of Porter's brigade, and the cavalry under Palmer, and Franklin's brigade of Heintzelman's division, Sherman's brigade of Tyler's division in the center and up the road, while Keyes' brigade of Tyler's division was on the left, attacking the batteries near the Stone Bridge. The Rhode Island battery of Burnside's brigade also participated in the attack by its fire from the north of the turnpike. The enemy was understood to have been commanded by J. E. Johnston. Ricketts' battery, which did such effective service, and played so brilliant a part in this contest, was, together with Griffin's battery, on the side of the hill, and became the object of the special attention of the enemy, who succeeded—our officers mistaking one of his regiments for one of our own, and allowing it to approach without firing upon it—in disabling the battery, and then attempted to take it. Three times was he repulsed by different corps in succession, and driven back, and the guns taken by hand, the horses being killed, and pulled away. The third time it was supposed by us all that the repulse was final, for he was driven entirely from the hill, and so far beyond it as not to be in sight, and all were certain the day was ours. He had before this been driven nearly a mile and a half, and was beyond the Warrenton road, which was entirely in our possession, from the Stone Bridge westward, and our engineers were just completing the removal of the abattis across the road, to allow our reenforcements (Schenck's brigade and Ayres' battery) to join us.

“The enemy was evidently disheartened and

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GENERAL McDOWELL'S OFFICIAL MAP OF THE BATTLE OF BULL RUN,  
FOUGHT JULY 21ST, 1861.



Giving the disposition of the forces [:: :: :: ::] the night before the battle, and the position assumed on the field by the several divisions and batteries. The line of retreat of the Union forces was by the direct routes to the Potomac by which the divisions marched on to Centerville.



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broken. But we had been fighting since half past ten o'clock in the morning, and it was after three o'clock in the afternoon. The men had been up since two o'clock in the morning, and had made what to those unused to such things seemed a long march before coming into action, although the longest distance gone over was not more than nine and a half miles; and although they had three days' provisions served out to them the day before, many no doubt either did not eat them, or threw them away on the march or during the battle, and were, therefore, without food. They had done much severe fighting. Some of the regiments which had been driven from the hill in the first two attempts of the enemy to keep possession of it had become shaken, were unsteady, and had many men out of the ranks.

"It was at this time that the enemy's reinforcements came to his aid from the railroad train, understood to have just arrived from the valley with the residue of Johnston's army. They threw themselves in the woods on our right, and toward the rear of our right, and opened a fire of musketry on our men, which caused them to break and retire down the hillside. This soon degenerated into disorder, for which there was no remedy. Every effort was made to rally them, even beyond the reach of the enemy's fire, but in vain. The battalion of regular infantry alone moved up the hill opposite to the one with the house on it, and there maintained itself until our men could get down to and cross the Warrenton turnpike, on the way back to the position we occupied in the morning. The plain was covered with the retreating troops, and they seemed to infect those with whom they came in contact. The retreat soon became a rout, and this soon degenerated still further into a panic.

"Finding this state of affairs was beyond the efforts of all those who had assisted so faithfully during the long and hard day's work in gaining almost the object of our wishes, and that nothing remained on the field but to recognize what we could no longer prevent, I gave the necessary orders to protect their withdrawal, begging the men to form in line, and offer the appearance, at least, of organization. They returned by the fords to the Warrenton road, protected, by my order, by Colonel Porter's force of regulars. Once on the road, and the different corps coming together in small parties, without officers, they became intermingled, and all organization was lost.

"Orders had been sent back to Miles' division for a brigade to move forward and protect this retreat, and Colonel Blenker's brigade was detached for this purpose, and was ordered to go as far forward as

the point where the road to the right left the main road.

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"By referring to the general order it will be seen that, while the operations were to go on in front, an attack was to be made at Blackburn's Ford by the brigade (Richardson's) stationed there. A reference to his report, and to that of Major Hunt, commanding the artillery, will show that this part of the plan was well and effectively carried out. It succeeded in deceiving the enemy for a considerable time, and in keeping in check a considerable part of his force. The fire of the artillery at this point is represented as particularly destructive.

At the time of our retreat, seeing great activity in this direction, much firing, and columns of dust, I became anxious for this place, fearing if it were turned or forced the whole stream of our retreating mass would be captured or destroyed. After providing for the protection of the retreat by Porter's and Blenker's brigades, I repaired to Richardson's, and found the whole force ordered to be stationed for the holding of the road from Manassas by Blackburn's Ford to Centreville, on the march, under the orders from the Division Commander, for Centreville. I immediately halted it, and ordered it to take up the best line of defense across the ridge that their position admitted of, and subsequently taking in person the command of this part of the army, I caused such disposition of the forces which had been added to by the First and Second New Jersey and the DeKalb regiments, ordered up from Runyon's reserve, before going forward, as would best serve to check the enemy. The ridge being held in this way, the retreating current passed slowly through Centreville to the rear. The enemy followed us from the Ford as far as Cub Run, and owing to the road becoming blocked up at the crossing, caused us much damage there, for the artillery could not pass, and several pieces and caissons had to be abandoned. In the panic the horses hauling the caissons and ammunition were cut from their places by persons to escape with, and in this way much confusion was caused, the panic aggravated, and the road encumbered. Not only were pieces of artillery lost, but also many of the ambulances carrying the wounded.

"By sundown most of our men had got behind Centreville Ridge, and it became a question whether we should or not endeavor to make a stand there. The condition of our artillery and its ammunition and the want of food for the men, who had generally abandoned or thrown away all that had been issued the day before, and the utter disorganization and consequent demoralization of the mass of the army seemed to all who were near enough to be consulted—division and brigade commanders and staff—to



admit of no alternative but to fall back, the more so as the position at Blackburn's Ford was then in possession of the enemy, and he was already turning our left. On sending the officers of the staff to the different camps, they found, as they reported to me, that our decision had been anticipated by the troops, most of those who had come in from the front being already on the road to the rear, the panic with which they came in still continuing and hurrying them along.

"At — o'clock, the rear guard (Blenker's brigade) moved, covering the retreat, which was effected during the night and next morning. The troops at Fairfax Station leaving by the cars took with them the bulk of the supplies which had been sent there. My aide-de-camp, Major Wadsworth, stayed at Fairfax Court-House till late in the morning, to see that the stragglers and weary and worn-out soldiers were not left behind."

The Ensemble.

This conveys a very good, if not vivid, idea of that day's work. It is the background of the crimson picture. The reports of division and brigade commanders came forward to fill in the central field, and to indicate the perspective gradations; while, crowded into the near foreground we have the innumerable records of sub-reports, newspaper narratives, letters from civilians and the stories of individual experiences—each and all of which throw into the picture great masses of color and strength of action, all toned, harmonized and distributed by the General-in-Command's matter-of-fact expression. The third paragraph gives (with the accompanying map) a correct exposition of the disposition of the several divisions; the fourth paragraph defines the line of action adopted.\*

\* It will be seen by reference to Beauregard's official report, as given in the Appendix, that the rebel commander was fully aware of McDowell's disposition of force and the programme for his advance. His (Beauregard's) forces were so disposed as to confront the Federals at the very point where they hoped to effect a partial surprise. How the rebel leader became so well informed respecting the programme of McDowell has never been explained. His (Beauregard's) report so speaks of the Federal movements, and adverts to the counter positions of his own brigades with such precision, as to leave no doubt of his possessing the fullest and most minute information from McDowell's headquarters. Official investigation has thrown no light upon this feature of the history.

The plan of the battle was well ordered. If executed as it was planned, all might have gone favorably: by *ten* o'clock victory doubtless would have been won to the Federal arms, and the army never would have known the fearful fatigues of that six hours' conflict. McDowell states that "there was *delay* in the first division getting out of its camp on the road, and the other divisions were, in consequence, between *two and three hours* behind the time appointed—a great misfortune, as events turned out." It was indeed a *great misfortune*. The "delay" illustrates what already has been said of the want of experience—amounting, actually, to inefficiency—of the leaders of that splendid host. The nature of, and the astonishing length of time consumed by, that detention of the divisions upon which the most important work of the day devolved, will be fully understood by reference to the citations of evidence, before the Investigating Committee, given in Appendix, page —. Instead of opening fire "by daybreak," as per General Order for the battle, Tyler's artillery was not ready for its work until half-past six o'clock; and Hunter's division—which was to *detour* to the north, three miles, (making a march of over seven miles,) to get at the enemy's left flank and rear, while Tyler should arrest the rebels' attention in front, at the Warren-ton road bridge—did not *leave Centreville* until *an hour after sunrise*, nor reach the vicinity of Sudley's Spring (where it was to cross Bull Run) until *four hours* later—so wretchedly were affairs affected by that simple blocking up of a road. When the division arrived at Sudley's Spring, it was to find the enemy in sight in heavy force. The rebels had then become fully apprised of Tyler's *jeint*, and left his front to resist Hunter's advance. This fact is thus clearly stated in the report of Beauregard:

"By half-past eight A. M., Colonel Evans having become satisfied of the counterfeit character of the movement on his front, and persuaded of an attempt to turn his left flank, decided to change his position to meet the enemy, and for this purpose immediately put in motion to his left and rear six companies of Sloan's Fourth South Carolina regiment, Wheat's Louisiana battalions, five companies, and two six-pounders of Latham's battery, leaving four



companies of Sloan's regiment under cover as the sole immediate defense of the Stone Bridge, but giving information to General Cocke of his change of position and the reasons that impelled it."

Hunter should have been over the stream and on the enemy before half-past eight, but was not; and had to fight his way to the position which he should have marched to, had the programme of orders been fulfilled.

A Confederate Counter Stroke.

It was not well for the Federal fortunes of the day that the Confederates also experienced a disappointment, which forced the abandonment of a counter stroke against the Federal left. Beauregard stated: "In my opinion the most effective method of relieving that flank, (his left, which Hunter proposed to turn,) was by a rapid, determined attack with my right wing and centre on the enemy's flank and rear at Centreville, with due precautions against the advance of his reserves from the direction of Washington. By such a movement," he added, "I confidently expected to achieve a complete victory for my country by twelve o'clock M. These new dispositions were submitted to General Johnston, who fully approved them, and the orders for their immediate execution were at once issued. Brigadier-General Ewell was directed to begin the movement, to be followed and supported successively by Generals D. R. Jones, Longstreet and Bonham, respectively, supported by their several appointed reserves. The cavalry, under Stuart and Radford, were to be held in hand, subject to future orders and ready for employment as might be required by the exigencies of the battle." This well-conceived assault only miscarried from the non-reception, by General Ewell, of his orders. Beauregard said:

"At half-past ten in the morning, however, this expectation was dissipated, from Brigadier-General Ewell informing me, to my profound disappointment, that my orders for his advance had miscarried, but that, in consequence of a communication from General D. R. Jones, he had just thrown his brigade across the stream at Union Mills. But, in my judgment, it was now too late for the effective execution of the contemplated movement, which must have required quite three hours for the troops to get into position for the attack; therefore, it became imme-

diately necessary to depend on new combinations and other dispositions suited to the now pressing exigency. The movement of the right and centre, already begun by Jones and Longstreet, was at once countermanded with the sanction of General Johnston, and we arranged to meet the enemy on the field upon which he had chosen to give us battle."

The Federal commander, it will be seen by reference to his report (6th paragraph), had prepared for such a movement, though it is to be doubted if he anticipated the great strength of the demonstration. Had Ewell precipitated his forces upon Blackburn's, the extended length of McDowell's lines would have rendered it necessary for Tyler and Miles to have fought one battle while Hunter and Heintzelman fought another, three miles away. Beauregard would not, in all probability, have relieved his left, as hoped by him; for Tyler and Miles, with the brigade retained by McDowell from Heintzelman's division, as well as with Runyon's six regiments still in reserve, undoubtedly would have crushed Ewell, Jones and Longstreet, with their lines exposed to the terrible artillery of Ayres, Carlisle, Edwards, Tidball, Hunt and Green. The assault would, also, have engaged a large portion of the Federal army, which was very fresh and well prepared for action—the fine brigades of Richardson, Davies, Schenck and Blenker—none of which were permitted to take part in the stubborn conflict going on over the stream.

After the abandonment, by Beauregard, of his attempt upon the Federal left, he moved all his disposable forces up to the vicinity of the Warrenton road, and toward the Sudley's Spring crossing—throwing upon Hunter and Heintzelman the flower of his army. Tyler's brigades were, ere long, engaged—Sherman and Keyes pressing, in the order named, over the river, while Schenck fought the enemy's strong batteries and supports which protected the Warrenton road bridge (Stone Bridge). This left Miles' command—composed of the brigades of Blenker, Richardson and Davies—at Centreville heights and on the Blackburn's Ford road, Richardson occupying his old position on the hill covering the Ford. Runyon was seven miles in the rear of Centreville, cover-

Disposition of the  
Brigades.



ing the approach by the Alexandria and Loudon railway.

The battle opened south of the ford at Sudley's Spring. McDowell in person superintended the crossing at that point. Arriving there after Burnside's brigade had passed over, he detected the massing of the enemy in that direction, and ordered the regiments to break from the division column and each to find its way over as quickly as possible. Burnside, with much impetuosity, passed along the road leading directly south towards Manassas Junction. [See McDowell's report, paragraph 10.] The enemy had taken position upon commanding hills, and Burnside soon found himself in the midst of a stubborn conflict. The gallant Rhode Islander thus told his story:

Burnside's Report. "Colonel Slocum, of the

Second Rhode Island regiment, was ordered to throw out skirmishers upon either flank and in front. These were soon confronted by the enemy's forces, and the head of the brigade found itself in presence of the foe. The Second regiment Rhode Island volunteers was immediately sent forward with its battery of artillery, and the balance of the brigade was formed in a field to the right of the road. At this time, much to my sorrow, I met you returning from the field severely wounded\*, and was requested to take charge of the formation of that portion of the division in the presence of the enemy. Finding that the Second regiment Rhode Island volunteers was closely pressed by the enemy, I ordered the Seventy-first regiment New York militia, and the Second regiment New Hampshire volunteers to advance, intending to hold the first Rhode Island volunteers in reserve; but owing to delay in the formation of the two former regiments, the first Rhode Island regiment was at once ordered on the field of action, Major Balch in command, gallantly led the regiment into it, when it performed most effective service in assisting its comrades to repel the attack of the enemy's forces. The second Rhode Island regiment of volunteers had steadily borne the enemy's attack, and had bravely stood its ground, even compelling him to give way. At this time Colonel Slocum fell, mortally wounded, and soon after Major Ballou was very severely injured by a cannon ball, that killed his horse and crushed one of his legs. The regiment, under the command of Lieutenant-Colonel

Wheaton, continued gallantly to hold its position. Soon after Colonel Martin, of the Seventy-first regiment New York State militia, led his regiment into action, and planting the two howitzers belonging to the regiment upon the right of his line, worked them most effectively against the enemy's troops. The battery of the Second Rhode Island regiment on the knoll upon the extreme right, was used in silencing the heavy masked battery of the enemy in front, occasionally throwing in shot and shell upon the enemy's infantry—six regiments of which were attempting to force our position. Captain Reynolds, who was in command of this battery, served it with great coolness, precision and skill. The Second regiment of New Hampshire volunteers, under Colonel Marston, was now brought into the field and rendered great service in defending the position. Colonel Marston was wounded early in the action, and Lieutenant-Colonel Fiske ably directed the advance of the regiment. Thus my whole brigade was brought into the engagement at the earliest possible moment, and succeeded in compelling the enemy to retire. We were wholly without support, braving the brunt of the contest until relieved by Major Sykes, of the Third infantry United States army, who formed his battalions most admirably in front of the enemy, and, pouring in a destructive fire upon his lines, assisted in staggering him. At that moment, after the fight had continued an hour or more, Colonel Sherman's division was seen marching over the hill opposite our left flank, and, attacking the enemy at that point, (the New York Sixty-ninth, Colonel Corcoran, in the advance,) and by a most deadly fire, assisted in breaking the enemy's lines. Soon after one o'clock the woods on our front which had been so obstinately held, were cleared of the enemy."

Porter, leading the main column of the division,

Porter's Movements.

was, during this furious three hours' conflict before the masked position, doing stern service. After the Second brigade (Burnside's) had passed ahead, the First brigade deflected slightly to the right of the road. Griffin's splendid battery, supported by the United States marines, pressed on through the woods to the fields beyond, the battle-ground of the morning. The Twenty-seventh New York (Colonel Slocum) took a position by the left; the Fourteenth New York (Colonel Wood) kept on the trail of the battery. The enemy's position stretched along the Warrenton road, having, as their flank cover, two farm houses (Robinson's and the widow Henry's), at each extremity of their line. [Beauregard, it will

\* Hunter was wounded at the head of his division and had to leave the field. The command of the division then devolved upon Colonel Andrew Porter.



be observed by reference to his report, particularly defines the nature of the field and the limit of his lines. The reader will be astonished to learn, also, that the force disposed to receive Burnside, and which had compelled him to call for Major Sykes' regulars to save a repulse, was comprised only of General Evans' command of *eleven companies* and *two guns*! A small brigade truly for so noted an officer.] Porter said:

Porter's Report.

"The enemy appeared drawn up in a long line, extending along the Warrenton turnpike from a house and hay stacks upon our extreme right to a house beyond the left of the division. Behind that house there was a heavy masked battery, which, with three others along his line on the heights beyond, covered the ground upon which we were advancing with all sorts of projectiles. A grove in front of his right wing afforded it shelter and protection, while the shrubbery along the road with fences, somewhat screened his left wing. Captain Griffin advanced to within a thousand yards and opened a deadly and unerring fire upon his batteries, which were soon silenced or driven away. Our right was rapidly developed by the marines and the Twenty-seventh, Fourteenth and Eighth New York regiments, with the cavalry in rear of the right, the enemy retreating with more precipitation than order as our lines advanced. The Second brigade (Burnside's) was at this time attacking the enemy's right with, perhaps, too hasty vigor. The enemy clung to the protecting wood with great tenacity, and the Rhode Island battery became so much endangered as to compel the commander of the Second brigade to call for the assistance of the battalion of regulars. The rebels soon came flying from the woods towards the right, and the Twenty-seventh completed their rout by charging directly upon their centre, in the face of a scorching fire, while the Fourteenth and Eighth moved down the turnpike to cut off the retiring foe and to support the Twenty-seventh, which had lost its gallant Colonel, but was standing the brunt of the action, with its ranks thinning in the dreadful fire. Now the resistance of the enemy's left was so obstinate that the beaten right retired in safety. The head of Heintzelman's column at this moment appeared upon the field, and the Eleventh and Fifth Massachusetts regiments moved forward to the support of our centre, while staff-officers could be seen galloping rapidly in every direction, endeavoring to rally the broken Eighth; but this laudable purpose was only partially attained, owing to the inefficiency of some of its field officers. The Fourteenth, though it had broken, was soon rallied

in the rear of Griffin's battery, which soon took up a position further to the front and right, from which its fire was delivered with such precision and rapidity as to compel the batteries of the enemy to retire in consternation far behind the brow of the hill in front."

This rout, by Beauregard's own confession, was complete. Johnston and himself reached the field of action in the rear of the two frame houses mentioned (Robinson's and the widow Henry's) shortly after twelve o'clock, to find the ravine there filled with their disordered brigades. The report goes on to state that, before the arrival on the ground of the two commanders, "General Johnston had moved forward with his brigade of five Virginia regiments from his position in reserve, and had judiciously taken post below the brim of the plateau, nearly east of the Henry house, and to the left of the ravine and woods occupied by the mingled remnants of Bee's, Bartow's and Evans' commands, with Imboden's battery, and two of Stanard's pieces placed so as to play upon the oncoming enemy, supported in the immediate rear by Colonel J. L. Preston's and Lieutenant-Colonel Echoll's regiments, on the right by Harper's and on the left by Allen's and Cumming's regiments. As soon as General Johnston and myself reached the field, we were occupied with the reorganization of the heroic troops, whose previous stand, with scarce a parallel, has nothing more valiant in all the pages of history, and whose losses fitly tell why, at length, their lines had lost their cohesion. It was now that General Johnston impressively and gallantly charged to the front with the colors of the Fourth Alabama regiment by his side, all the field-officers of the regiment having been previously disabled."

A bold and united stroke, at this moment, would have been decisive—the fortunes of the day would have been determined. But, the Federalists were too exhausted, too disorganized, *too loosely held*, to take advantage of what was the critical moment.

To continue the story of the contest we again quote from Porter's report concerning the movements at that critical time:

"At this time my brigade occupied a line consid-

The Confederates  
Routed and Disorganized.



## Porter's Report.

erably in advance of that first occupied by the left wing of the enemy. The battery was pouring its withering fire into the batteries and columns of the enemy wherever they exposed themselves. The cavalry were engaged in feeling the left flank of the enemy's position, in doing which some important captures were made. General Tyler's division was engaged with the enemy's right. The Twenty-seventh New York was resting in the edge of the woods in the centre, covered by a hill upon which lay the Eleventh and Fifth Massachusetts, occasionally delivering a scattering fire. The Fourteenth (Brooklyn) was moving to the right flank; the Eighth (New York) *had lost its organization*; the marines were moving up in fine style in the rear of the Fourteenth, and Captain Arnold was occupying a height in the middle ground with his battery. At this juncture there was a temporary lull in the firing from the rebels" [it was the moment when the rebels, disorganized and half panic-stricken, were in the ravine undergoing reorganization under the command of Johnston and Beauregard—the moment when an onslaught would have ended the day] "who appeared only occasionally on the heights in irregular formations, but to serve as marks for Griffin's guns. The prestige of success had thus far attended the efforts of our inexperienced but gallant troops. The lines of the enemy had been forcibly shifted nearly a mile to their left and rear; the flags of eight regiments, though borne somewhat wearily, now pointed towards the hill from which the disordered masses of rebels had been hastily retiring."

To give the movements up to this central and deciding point, of the forces here enumerated, we may delay the narrative of the catastrophe which quickly followed, to follow up the progress of Heintzelman's (Third) division and the brigades of Keyes and Sherman, of the First (Tyler's) division.

## Heintzelman's Movements.

Heintzelman's route, as prescribed by the battle order, was to cross at a ford *understood* to lie between Sudley's Springs and the Warrenton road bridge. No road was found to lead to any such ford, and the Third division followed on after the Second, reaching Sudley's Spring Ford at eleven A. M., where one brigade of Hunter's division was then in the act of crossing (by wading). The sound of battle came from the advance; McDowell and his staff had gone on with Burnside. To cover Burnside's flanks the General commanding sent back to the ford

## Heintzelman's Movements.

for two regiments, when Heintzelman dispatched the First Minnesota and the Eleventh Massachusetts—accompanying the latter. At the same time he ordered the residue of the brigade to follow, excepting Arnold's battery and the First Michigan, left as a reserve and to protect the ford in event of any attempt upon it. Ricketts' noble battery was posted, on the battle-field, to the right of Hunter's brigades, and immediately opened fire. This was continued for twenty minutes, when the gallant Captain, finding that the enemy was too distant, asked to be placed nearer the battery and columns against which he was to operate. Heintzelman sent him forward, and the brave soldier took a position but one thousand *feet* away from his foe where the musketry was playing a fearful tattoo upon the trees around. To cover Ricketts, Heintzelman ordered forward the noted "Fire Zouaves" whom Colonel Ellsworth had brought into partial subjection prior to his untimely death. The division commander himself led them forward, designing a charge upon an Alabama regiment which worried Ricketts with its musketry, under shelter of a clump of pine trees. "At the first fire," says Heintzelman in his report, "the Zouaves broke, the greater portion of them fled to the rear, keeping up a desultory firing over the heads of their comrades in front. At the same moment they were charged by a company of secession cavalry on their rear, who came by a road through two strips of woods on our extreme right. The fire of the Zouaves killed four and wounded one, dispersing them. The discomfiture of this cavalry was completed by a fire from Captain Collum's company of United States cavalry, which killed and wounded several men. Colonel Farnham, with some of his officers and men, behaved gallantly, but the regiment of Zouaves, as a regiment, did not appear again on the field. Many of the men joined other regiments and did good service as skirmishers." [See also Porter's report of this affair.]

This is a pretty bad story for the Zouaves; but the fact that every other regiment brought up were repulsed in succession, shows how



withering must have been the iron shower for the prize corps. Heintzelman wrote:

"I then led up the Minnesota regiment, which was also repulsed, but retired in tolerably good order. It did good service in the woods on our right flank, and was among the last to retire, moving off the field with the Third United States infantry. Next was led forward the First Michigan, which was also repulsed, and retired in considerable confusion. They were rallied and helped to hold the woods on the right. The Brooklyn Fourteenth then appeared upon the ground, coming forward in gallant style. I led them forward to the left, where the Alabama regiment had been posted in the early part of the action. It had now disappeared, but I soon came in sight of the line of the enemy drawn up beyond the clump of trees. Soon after the firing commenced this regiment broke and ran. I considered it useless to attempt to rally them. The want of discipline in these regiments was so great that the most of the men would run from fifty to several hundred yards to the rear, and continue to fire—fortunately for the braver ones—very high in the air, and compelling those in front to retreat. During this time Rickett's battery had been taken and retaken *three times* by us, but was finally lost, most of the horses having been killed—Captain Rickett being wounded, and First Lieutenant D. Ramsay killed. Lieutenant Kirby behaved very gallantly, and succeeded in carrying off one caisson. Before this time heavy reenforcements of the enemy were distinctly seen approaching by two roads, extending and outflanking us on the right."

A recurrence to Beauregard's report, at this point, will serve to impress the reader with the terrific fury which reigned over that narrow field—how narrow, the rebel General's graphic narrative particularly states. But, Heintzelman's corps was not alone in that almost hand-to-hand carnage. Keyes' and Sherman's brigades were at hand, sharing alike the dangers, the glories and the disasters of the field. Schenck's brigade, with its light artillery battery and a thirty-pounder Parrot gun under Lieutenant Haines, was de-

Tyler's Division.

tailed by General Tyler to operate on the Stone Bridge (Warrenton road) position of the enemy; while Sherman and Keyes were left to await the special calls of the day. When it was apparent that Hunter's and Heintzelman's divisions had come to a stand, Sherman was ordered on to join in the struggle. He crossed the Run, at a point where he had seen a

rebel horseman wade the stream. No opposition was offered, but the steep bank precluded Ayres from dragging up his guns. He therefore remained to operate as circumstances might demand at the Stone Bridge. Sherman—after a slight "brush" with a retreating battalion, in which the brave Lieutenant-Colonel (Haggerty) of the New York Sixty-ninth was killed—pushed with great caution direct for the battle-field,—the New York Sixty-ninth (Colonel Corcoran) on the advance. The field was reached in safety, and the brigade formed for battle in the rear of Colonel Porter's men. This was at the moment indicated by Heintzelman when his regiments were consecutively retiring from before the enemy, and the struggle for the Rickett's battery was going on. Sherman reported:

Tyler's Division.

"Placing Colonel Quimby's regiment of rifles (the New York Thirteenth) in front, in column by division, I directed the other regiments to follow in line of battle in the order of the Wisconsin Second, New York Seventy-ninth and Sixty-ninth. Quimby's regiment advanced steadily down the hill and up the ridge, from which he opened fire upon the enemy, who had made another stand on the ground very favorable to him, and the regiment continued advancing as the enemy gave way till the head of the column reached the point near which Rickett's battery was so severely cut up. The other regiments descended the hill in line of battle, under a severe cannonading, and the ground affording comparative shelter against the enemy's artillery, they changed directions by the right flank and followed the road before mentioned. At the point where this road crossed the bridge to our left point, the ground was swept by a most severe fire by artillery, rifle and musketry, and we saw in succession several regiments driven from it, among them the Zouaves and battalions of marines. Before reaching the crest of the hill the roadway was worn deep enough to afford shelter, and I kept the several regiments in it as long as possible; but when the Wisconsin Second was abreast of the enemy, by order of Major Wadsworth, of General McDowell's staff, I ordered it to leave the roadway by the left flank and to attack the enemy. This regiment ascended to the brow of the hill steadily, received the severe fire of the enemy, returned it with spirit, and advanced delivering its fire. This regiment is uniformed in gray cloth, almost identical with that of the great bulk of the secession army, and when the regiment fled in confusion and retreat-



## Sherman's Report.

ed towards the road, there was a universal cry that they were being fired upon by our own men. The regiment rallied again, passed the brow of the hill a second time, and was again repulsed in disorder. By this time the New York Seventy-ninth had closed up, and in like manner it was ordered to cross the brow of the hill and drive the enemy from cover. It was impossible to get a good view of the ground. In it there was one battery of artillery, which poured an incessant fire upon our advancing column, and the ground was irregular, with small clusters of pines, affording shelter of which the enemy took good advantage. The fire of rifles and musketry was very severe. The Seventy-ninth, headed by its Colonel (Cameron), charged across the hill, and for a short time the contest was severe. They rallied several times under fire, but finally broke and gained the cover of the hill. This left the field open to the New York Sixty-ninth, Colonel Corcoran, who, in his turn, led his regiment over the crest, and had in full open view the ground so severely contested. The firing was very severe, and the roar of cannon, musketry and rifles incessant. It was manifest the enemy was here in great force, far superior to us at that point. The Sixty-ninth held their ground for some time, but finally fell back in disorder.

"All this time Quimby's regiment occupied another ridge to our left, overlooking the same field of action, and similarly engaged. Here (about half-past three P. M.) began the scene of disorder and confusion that characterized the remainder of the day."

Operations of  
Keyes' Brigade.

Keyes' brigade followed Sherman over the stream and thence to the battle field. General Tyler, who commanded in person, in his report acknowledges its gallantry and effectiveness, saying:

"I ordered Colonel Keyes to incline the head of his column a little to the right of the line of march taken by Sherman's brigade to avoid the fire of a battery which the enemy had opened. This movement sheltered the men to a considerable degree, and resulted in closing on the rear of Sherman's brigade; and, on reaching the high ground, I ordered Colonel Keyes to form into line on the left of Sherman's brigade, which was done with great steadiness and regularity. After waiting a few moments the line was ordered to advance, and came into conflict on its right with the enemy's cavalry and infantry, which, after some severe struggles, it drove back, until the further march of the brigade was arrested by a severe fire of artillery and infantry, sheltered by some buildings standing on the heights above the road leading to Bull Run. The charge

was here ordered, and the Second Maine and Third Connecticut regiments, which were opposed to this part of the enemy's line, pressed forward to the top of the hill until they reached the buildings which were held by the enemy, drove them out, and for a moment had them in possession. At this point, finding the brigade under the fire of a strong force behind breastworks, the order was given to march by the left flank across an open field until the whole line was sheltered by the right bank of Bull Run, along which the march was conducted, with a view to turn the battery which the enemy had placed on the hill below the point at which the Warrenton turnpike crosses Bull Run. The march was conducted for a considerable distance below the Stone Bridge, causing the enemy to retire and giving Captain Alexander an opportunity to pass the bridge, cut out the abattis which had been placed there, and prepared the way for Schenck's brigade and the two batteries to pass over. Before the contemplated movement could be made on the enemy's battery, it was removed and placed in a position to threaten our line; but before the correct range could be obtained, Colonel Keyes carried his brigade, by a flank movement, around the base of the hill, and was on the point of ascending it in time to get at the battery, when I discovered that our troops were on the retreat, and that, unless a rapid movement to the rear was made, we should be cut off, and through my aid, Lieutenant Upton, Colonel Keyes was ordered to file to the right and join the retreating column. The order was executed without the least confusion, and the brigade joined the retreating column in good order."

This brief report, while it correctly outlines the brigade's movements, covers much gallant service. If the regiments pressing the enemy in front had succeeded in retaining the hill for an hour longer, Schenck's brigade would have been over, Keyes' flank movement would have compassed its object, and the enemy not only would have been defeated, but must have fallen into the hands of Keyes, Schenck and the reserves, in immense numbers. Keyes thus modestly referred to his arduous and meritorious proceedings:

"At about two o'clock P. M.

Keyes' Report.

General Tyler ordered me to take a battery on a height in front. The battery was strongly posted, and supported by infantry and riflemen, sheltered by a building, a fence and a hedge. My order to charge was obeyed with the utmost promptness. Colonel Jameson, of the Second Maine, and Colonel Chatfield, Third Connecticut volunteers, pressed forward their regiments up the



## Keyes' Report.

base slope about one hundred yards, when I ordered them to lie down at a point offering a small protection, and load. I then ordered them to advance again, which they did in the face of a movable battery of eight pieces and a large body of infantry towards the top of a hill. As we moved forward we came under the fire of other large bodies of the enemy posted behind breastworks, and on reaching the summit of the hill the firing became so hot that an exposure to it of five minutes would have annihilated my whole line.

"As the enemy had withdrawn to a height beyond, and to the support of additional troops, I ordered the Maine regiment to face by the left flank and move to a wooded slope, across an open field, to which point I followed them. The balance of the brigade soon regained me, and after a few moments' rest I again put it in motion and moved forward to find another opportunity to charge.

"The enemy had a light battery, which he manœuvred with extraordinary skill, and his shot fell often among and near us. I advanced generally just under the brow of the hill, by a flank movement, until I found myself about half a mile below the Stone Bridge. Our advance caused the rebels to retire from the abattis, and enabled Captain Alexander, of the engineers, to clean it away. In a short time the enemy moved the battery to a point which enabled him to enfilade my whole line; but as he pointed his guns too far to the right, and only improved his aim gradually, I had time to withdraw my brigade, by a flank movement, around the base of a hill, in time to avoid a raking fire. At this time a lull in the discharge of our artillery, and an apparent change of position of the enemy's left flank, made me apprehensive that all was not right. I continued my march, and sent my aid, Lieutenant Walter, to the rear to inquire of General McDowell how the day was going. The discontinuance of the firing in our lines becoming more and more apparent, I inclined to the right, and after marching six hundred or seven hundred yards further, I was met by Lieutenant Uptown, aid to General Tyler, and ordered to file to the right, as our troops were retreating. I moved on at an ordinary pace, and fell into the retiring current about one hundred and fifty yards in the rear of General McDowell and staff. Before crossing Bull Run, and until my brigade mingled with the retreating mass, it maintained perfect freedom from panic, and at the moment I received the order to retreat, and for some time afterwards, it was in as good order as in the morning on the road. Half an hour earlier I supposed the victory to be ours."

The fortunes of the day appear to have

turned upon the loss of Rickett's and Griffin's batteries. Porter states that they "were ordered by the Commanding-General to the top of the hill on the right." Major Barry confirms the statement, saying he "received an order from General McDowell to advance two batteries to an eminence *specially designated* by him about *eight hundred yards in front* of the line previously occupied by the enemy's batteries." This relieves the Chief-of-Artillery (Major Barry) of the charge repeated in many of the newspaper reports, of having planted the batteries too far in advance, thereby challenging the enemy to take them, which they did after a terrible struggle. Porter, referring to the incidents of that furious hand-to-hand fight, said:

"Griffin's and Rickett's batteries were ordered by the Commanding-General

Struggle for the Batteries.

to the top of the hill on our right, supporting them with the Fire Zouaves and marines, while the Fourteenth entered the skirt of the wood on their right to protect that flank, and a column of the Twenty-seventh New York and Eleventh and Fifth Massachusetts, Second Minnesota and Sixty-ninth New York moved up towards the left flank of the batteries; but so soon as they were in position, and before the flanking supports had reached them, a murderous fire of musketry and rifles opened at pistol range, and cut down every cannonier and a large number of horses. The fire came from some infantry of the enemy which had been mistaken for our own forces, an officer on the field having stated that it was a regiment sent by Colonel Heintzelman to support the batteries. The evanescent courage of the Zouaves prompted them to fire a hundred shots, when they broke and fled, leaving the batteries open to a charge of the enemy's cavalry, which took place immediately. The marines, also, in spite of the exertions of their gallant officers, gave way in disorder. The Fourteenth on the right and the column on the left hesitatingly retired, with the exception of the Sixty-ninth and Thirty-ninth New York, who nobly stood and returned the fire of the enemy for fifteen minutes. Soon the slopes behind us were swarming with our retreating and disorganized forces, while riderless horses and artillery



Richardson's and  
Davies' Operations.

teams ran furiously through the flying crowd. All further efforts were futile. The words, gestures and threats of our officers were thrown away upon men who had lost all presence of mind, and only longed for absence of body. Some of our noblest and best officers lost their lives in the trial to rally them upon our first position. The Twenty-seventh was the first to rally under the command of Major Bartlett, and around it the other regiments engaged and soon collected their scattered fragments. The battalion of regulars in the mean time moved steadily across the fields to the right, and took up a position where it held the entire forces of the rebels in check until our forces were somewhat rallied. The Commanding-General then ordered a retreat upon Centreville, at the same time directing me to cover it with the battalion of regulars, the cavalry and a section of artillery."

The Retreat not  
a Rout.

This brings the narrative up to the moment of retreat, which, it has been represented, was a disgraceful rout. It was not a rout in the terms employed by many, and particularly by the correspondent of the *London Times*, who was present. The regiments of Heintzelman's division, already referred to as disorganized during the fight, and particularly the "Fire Zouaves," left the field in great disorder; and Sherman's brigade, from being very badly cut to pieces, was not brought off whole; but, the great mass moved off in clean lines by brigades or sections, covered, to the crossing at the Stone Bridge by Porter and Keyes; and, after that, by Schenck's brigade, which fell, in good order, with Ayres' battery, back upon Centreville, while Blenker advanced from that place towards the Warrenton Bridge, the more perfectly to secure order in the withdrawing regiments and to hold in check any possible attack by the enemy.

But, before recording the incidents and the conduct of that retreat, we should advert to the not unexciting nor unimportant services performed by the brigades placed to guard the left approach to Centreville by Blackburn's Ford and Union Mills.

Richardson, after his sharp conflict of the 18th, retired to Centreville, but soon returned and reoccupied the hill whereon his

brigade had bivouacked previous to the reconnoitre of the Ford. It was a fine position, where he proceeded, by McDowell's orders, to throw up hasty earth-work defenses. Attached to his brigade, under the dispositions of the forces for the conflict, were the field battery of Major Hunt, of the regulars, and a rifled battery of ten-pounders, under Lieutenant Green, also of the United States regular service. His part of the programme was to open fire with his guns, after Tyler had given the signal at the Stone Bridge, thus to make a feint upon Blackburn's Ford. Davies' brigade held a position between Richardson and Centreville; while Blenker, with Tidball's and Green's batteries, occupied the latter place, where he proceeded hastily to throw up earth-works and rifle-pits, to prepare for the possible irruption of the enemy, by the left approaches. These three brigades, constituting "the reserves," were placed under the superior command of Colonel Miles.

After the movements of the First, Second and Third divisions, on the morning of the 21st, Davies advanced his brigade beyond Richardson's position, on his left, having with him a twenty-pounder battery of rifled guns, under Lieutenant Benjamin. Together, the guns of the two brigade batteries opened on the Blackburn Ford position of the enemy, but, after a cannonade of an hour, suspended fire, having drawn no return. Colonel Davies assumed direction of the operations of the two brigades, being the senior, by date of commission, of Richardson. His troops were so disposed as to hold the Blackburn Ford approach and the road leading in from Union Mills, up which it was expected the enemy might demonstrate. After this disposition Colonel Miles arrived on the ground—his first appearance—when considerable change was made in the location of the regiments. He then left for Centreville, where Davies proceeded to protect his own flank—now exposed by Miles having withdrawn two regiments from the Union Mills road—by felling trees across the dangerous and open approach. This precaution was timely, for it arrested a heavy force of the enemy's cavalry, which, as the advance of General D. B.



Jones' brigade, came dashing up to reconnoitre. A charge of grape and canister from the three batteries sent the cavalry flying. This retarded Jones' operations in that direction, although his brigade was advanced over Bull Run on the Union Mills road. Davies knew of his presence; but Miles' peremptory orders,\* to simply hold his position and not to attack, compelled the impatient Davies and Richardson to rest nervously in their well-chosen camps. Miles visited the camps early in the afternoon for a few moments, and then returned to Centreville, compelled, as he states, to remain at headquarters in consequence of illness.† After he had left, Davies arranged to prevent a surprise, and to repel an attack which he expected at any moment. Great clouds of dust and the sight of passing columns led him to believe that heavy bodies were gathering on his left. He said, in his report:

Davies' Report. "I threw out two companies of skirmishers to our rear, and ordered the Thirty-second New York forward to support them. About four o'clock we saw the enemy approaching down a gorge leading into a valley which lay directly to our left about five hundred yards distant. The field in which I was ordered to remain *was enclosed on two sides by dense woods and covered by light bushes toward the valley.* After the enemy were discovered filing into the valley, no movement was made for some time. When it was supposed, from the appearance of things, that the last of the column was entering the valley, I ordered all the artillery (six pieces) to change front to the left, but not to fire until the rear of the column was seen. I placed the artillery, with a company of infantry with each piece, and changed the battle front of the two regiments (the Sixteenth and Thirty-first New York) supporting the artillery to the left, on a line with them. I then ordered every man to lie down and reserve his fire.

"During the whole time that this order was being carried out, the enemy's troops were still advancing down the hill four abreast and at 'right shoulder shift.' I gave orders to Lieutenant Edwards, when I saw the rear of the column, to give it a solid twen-

\* Miles, in his report, states that such were his orders from the commanding General.

† The verdict of the Court Martial which afterwards sat on his case, was to the effect that he was under the influence of liquor, but not so much so as to unfit him for command. Richardson and Davies regarded him as decidedly drunk.

ty-pound shot, which he did, knocking a horse and his rider in air, and starting at a double-quick the rear of the column into the valley. I then ordered the whole artillery to pour grape and canister into the valley, and at every fire there went up a tremendous howl from the enemy. During all this time the enemy poured volleys of musketry over the heads of our prostrate men. This firing continued for twenty-five or thirty minutes. A portion of the enemy rushed into a barn, from which a few well directed shots brought them out in great haste."

The enemy was checked and discomfited by this spirited reception, and soon retired altogether in the direction of Union Mills. The brigade of Richardson was in reserve for the expected attack upon Davies, but waited in vain—the Colonel very properly employing his time in throwing up earth-works and erecting abattis to render his position secure. He could and would have held it against triple numbers.

It is unnecessary here to detail the order of the retreat to Centreville and the rapid march back to the Potomac fortifications. Blenker's brigade—a corps of men composed of splendid fighting material—pushed forward from their posts at Centreville toward the Stone Bridge, and covered the retreat in a very effective manner. At the crossing, the enemy's cavalry (Scott's) pressed our disordered ranks very closely, when Ayres' and Carlisle's guns, spiritedly and coolly served, kept them at bay. Walker's battery of Holmes' (rebel) brigade—which had been detailed for the morning movement on the Federal left—arrived in time to worry the retreat extremely, and much of the most painful slaughter of the day took place at the vicinity of the Stone Bridge and the crossing of Cub Run from these guns.

After passing Bull Run, several of the brigades preserved but little order. Many regiments seemed to take it for granted that they were at liberty to retire Washington-ward at their pleasure, and did so. Honorable exception should, however, be made in the case of the brigades of Keyes, Davies, Richardson and Blenker—all of whose ranks carefully preserved their formation, brought off their trains, stores and artillery, and constantly presented an effective front for fight, had the

The Retreat to Fairfax and the Potomac.



The Retreat to Fairfax  
and the Potomac.

pursuit been pressed. These  
brigades left Centreville du-  
ring the night of the 21st—

Blenker bringing up the rear in excellent style.\* The troops of this command were feverishly anxious that the enemy should pursue. There was no pursuit, however, of any account, after the troops had fairly passed the Run. The enemy had two fresh brigades (Ewell's and Holmes'), besides reserves from Johnston's forces then still arriving; but the knowledge of McDowell's strength at Centreville, and the presence of Runyon's brigade beyond, induced Beauregard to refrain from periling his dearly-bought victory by pressing the retreat. He was content to pass over the Run, after the evacuation of Centreville, there to gather up the spoils which the teamsters, in their disgraceful and causeless panic, had left behind. Many a wagon of precious freight stood in its ruts around Centreville that should have been brought leisurely away; but, like the want of rigid discipline in the army, the transportation service was without system, without a head on the ground; and, as a consequence, each particular teamster cared for himself rather than for his goods. A few well-timed shots at the flying rogues would have relieved horses of cowardly riders; and thus have saved teams to bear away many a wagon of stores and arms.

McDowell's Statement  
of Causes of the  
Disaster.

Regarding the disaster,  
we should give McDowell's  
own defense because we  
deem it, to a great degree, satisfactory.  
He said:

"As my position may warrant even if it does not call for some explanation of the causes, so far as they can be seen, which led to the results herein stated, I trust it may not be out of place if I refer in a few words to the immediate antecedents of the battle. When I submitted to the General-in-Chief, in compliance with his verbal instructions, the plan of operations and estimate of force required, the time I was to proceed to carry it into effect was fixed for the 8th of July, Monday. Every facility possible

\* Several parties claim the honor of "bringing up the rear." Richardson states positively that his brigade was last over the ground and last to arrive at Arlington. We believe we are correct, however, in awarding the honors of "positively the last" to Blenker.

was given me by the General-  
in-Chief and heads of the Ad-

McDowell's Statement

ministrative departments in making the necessary preparations. But the regiments, owing, I was told, to want of transportation, came over slowly. Many of them did not come across till eight or nine days after the time fixed upon, and went forward without my even seeing them, and without having been together before in a brigade. The sending reenforcements to General Patterson, by drawing off the wagons, was a further and unavoidable cause of delay. Notwithstanding the herculean efforts of the Quartermaster-General, and his favoring me in every way, the wagons for ammunition, subsistence, &c., and the horses for the trains and the artillery, did not all arrive for more than a week after the time appointed to move. I was not even prepared as late as the 15th ultimo, and the desire I should move became great, and it was wished I should not, if possible, delay longer than Tuesday, the 16th ultimo. When I did set out, on the 16th, I was still deficient in wagons for subsistence. But I went forward, trusting to their being procured in time to follow me. The trains thus hurriedly gathered together, with horses, wagons, drivers and wagon managers, all new and unused to each other, moved with difficulty and disorder, and was the cause of a day's delay in getting the provisions forward, making it necessary to make on Sunday the attack we should have made on Saturday.

"I could not, with every exertion, get forward with the troops earlier than we did. I wished to go to Centreville the second day, which would have taken us there on the 17th, and enabled us, so far as they were concerned, to go into action on the 19th, instead of the 21st; but when I went forward from Fairfax Court-House, beyond Germantown, to urge them forward, I was told it was impossible for the men to march further. They had only come from Vienna, about six miles, and it was not more than six and a half miles further to Centreville—in all, a march of twelve and a half miles; but the men were foot weary, not so much, I was told, by the distance marched as by the time they had been on foot, caused by the obstructions in the road and the slow pace at which we had to move to avoid ambuscades. The men were, moreover, unaccustomed to marching, their bodies not in condition for that kind of work, and not used to carrying even the load of light marching order.

"We crossed Bull Run with about 18,000 men of all arms, the Fifth division (Miles' and Richardson's brigade) on the left, at Blackburn's Ford to Centreville, and Schenck's brigade, of Tyler's division, on the left of the road, near the Stone Bridge, not par-



McDowell's Statement      ticipating in the main action. The numbers opposed to us have been variously estimated; I may safely say, and avoid even the appearance of exaggeration, that the enemy brought up all he could which were not kept engaged elsewhere. He had notice of our coming on the 17th, and had from that time up to the 21st to bring up whatever he had. It is known that in estimating the force to go against Manassas I engaged not to have to do with the enemy's forces under Johnston, then kept in check in the valley by Major-General Patterson, or those kept engaged by Major-General Butler, and I know every effort was made by the General-in-Chief that this should be done, and that even if Johnston joined Beauregard, it would not be because he could not be followed by General Patterson, but from causes not necessary for me to refer to, if I knew them all. This was not done, and the enemy was free to assemble from every direction in numbers only limited by the amount of his railroad rolling stock and his supply of provisions. To the forces, therefore, we drove in from Fairfax Court-House, Fairfax Station, Germantown, and Centreville, and those under Beauregard at Manassas, must be added those under Johnston from Winchester, and those brought up by Davis from Richmond and other places at the South, to which is to be added the levy *en masse* ordered by the Richmond authorities, which was ordered to assemble at Manassas. What all this amounted to I cannot say—certainly much more than we attacked them with.

"I could not, as I have said, more early push on faster, nor could I delay. A large and the best part of my forces were three months' volunteers, whose term of service was about to expire, but who were sent forward as having long enough to serve for the purpose of the expedition. On the eve of the battle the Fourth Pennsylvania regiment of volunteers and the battery of volunteer artillery of the New York Eighth militia, whose term of service expired, insisted on their discharge. I wrote to the regiment expressing a request for them to remain a short time, and the Honorable Secretary of War, who was at the time on the ground, tried to induce the battery to remain at least five days. But in vain. They insisted on their discharge that night. It was granted, and the next morning, when the army moved forward into battle, these troops moved to the rear, to the sound of the enemy's cannon.

"In the next few days, day by day, I should have lost 10,000 of the best armed, drilled, officered and disciplined troops in the army. In other words, every day which added to the strength of the enemy made us weaker.

"In conclusion, I desire to say, in reference to

the events of the 21st ult., that the general order for the battle to which I referred was, with slight modification, literally conformed to; that the corps were brought over Bull Run in the manner proposed, and put into action as before arranged, and that up to late in the afternoon every movement ordered was carrying us successfully to the object we had proposed before starting—that of getting to the railroad leading from Manassas to the valley of Virginia and going on it far enough to break up and destroy the communication and interviews between the forces under Beauregard and those under Johnston. And could we have fought a day or a few hours sooner, there is everything to show how we could have continued successful, even against the odds with which we contended."

He did "not engage to have to do with the enemy's forces under Johnston"—that was his best defense. All other facts cited are only forcible for extenuation, but that disclaimer against fighting two fine armies instead of one, is his justification, and fixes the responsibility upon the Pennsylvania General for his non-action and want of vigilance. That the enemy only played with the cautious old General (Patterson) is evident from the fact, as elsewhere stated, that the rebel Generals, without any reference to Patterson, had arranged to throw Johnston's army, upon McDowell at Centreville from the north, as early as the 18th or 19th, but could not move in that direction quickly enough owing to lack of transportation.

General Patterson's  
Responsibility for  
the Defeat.

Patterson, on the 18th, was treated to the following reminder to duty:

"WASHINGTON, July 18th, 1861.

"MAJOR-GENERAL PATTERSON, &c. : I have certainly been expecting you to beat the enemy. I do not, to hear that you had felt him strongly, or at least had occupied him by threats and demonstrations. You have been at least his equal, and I suppose superior, in number. Has he not stolen march and sent reinforcements toward Manassas Junction? A week is enough to win a victory. \*

"WINFIELD SCOTT."

To this he sententiously replied from *Charlestown*, to which point he had (on the 17th) *turned off* from Bunker Hill, the direct approach to Winchester:

"CHARLESTOWN, July 18th, 1861.

"COLONEL E. D. TOWNSEND, A. A. G., &c. : Telegram of to-day received. The enemy has stolen march upon me. I have kept him actively employed



ed, and by threats and reconnoissances in force caused him to be reenforced. I have accomplished more in this respect than the General-in-Chief asked, or could well be expected, in face of an enemy far superior in numbers, with no line of communication to protect. \* \* \* \* \*

"R. PATTERSON."

He really accomplished nothing which the General-in-Chief expected of him. Scott said, in his testimony before the Investigating Committee: "Although General Patterson was never *specifically* ordered to attack the enemy, he certainly was told and expected, even with inferior numbers,\* to hold the rebel army in his front on the alert, and to prevent it from reenforcing Manassas Junction, by threatening manœuvres and demonstrations; results often obtained in war with half numbers. After a time General Patterson moved from Bunker Hill, and then fell off upon Charlestown, whence he seems to have made no other demonstration that did not look like a retreat out of Virginia. From that moment Johnston was at liberty to join Beauregard with any part of the army of Winchester."

Yes, more than this: Johnston, at any moment, was at liberty to join Beauregard so far as Patterson was concerned; and only failed to leave Winchester on the 17th, because of his want of conveyance. He understood the Federal commander more fully than the Department at Washington. Had he moved off on the 17th, Patterson's orders were to push for Leesburg and force a march after him to Centreville; but, it is highly probable that the story of Centreville and Bull Run would have become history before he should have appeared in view of Fairfax Court-House.

Views Regarding the Plan of the Battle. As to the plan of the advance, we believe it to have been well ordered. It already has been stated that Heintzelman was to strike off from Sangster's Station, to threaten Manassas by Brentsville, while McDowell should "feel" of Beauregard at Bull Run, and approach Manassas, at the same time, by way of Union Mills and Blackburn's Ford. This Major Barnard refers to in his re-

\* See Appendix, page ---, for citations of evidence before the Committee, regarding the inferiority of Johnston's force to that of Patterson.

port, as having been the original design, characterizing the movement upon Centreville as a mere "demonstration." It was all changed by Tyler's "reconnoissance" of the 18th, by which he brought on the conflict at Blackburn's Ford, on that day. Fearing the worst, that Beauregard was in force at that point, ready to press back the advance if not to occupy Centreville, McDowell hastily left Sangster's for Centreville, ordering Heintzelman to follow with all speed. The flank movement by Brentsville was instantly abandoned.

After the 18th, reconnoissances followed; and, from what was learned by them, as well as from residents and scouts, McDowell so far modified his original programme for the descent upon Manassas Junction, as to determine him to turn Beauregard's position at Bull Run, *by the right*. This would strike the rebel line of reenforcements, and, with McDowell's then disposable strength, would force his enemy back upon Manassas. It was a clear, sensible, well-arranged proceeding, and only failed of success from his having to cope with two well-ordered armies instead of one. As to whether the battle could or could not have been fought a day or two days earlier, is a question for military experts to decide. If the battle had resulted favorably to our arms, every movement unquestionably would have been commended as marked by prudence and military sagacity; and, if victory would have resulted had Patterson's army done its allotted duty, it is but fair

The Great Evil.

to give to McDowell the credit of having well performed his part. The great, glaring blemish which stands out all over the history of that brief campaign, is the want of discipline among officers as well as troops. With Colonels in command of brigades — with a Brigadier-General in chief command, there was, from the very date of organization of the several corps, a want of unity, an absence of radical subordination. The prime defect lay in the military system then in force, rendering volunteer commands of the same grade subordinate to those of the regular service, thus creating enmities, conflicts of authority and military jealousies enough to distract any well-laid scheme. It was a



painful spectacle to read official reports wherein crimination and gross charges against superiors or equals found place; wherein a Major assumed the character of censor and critic even of the plans and orders of the Commanding General; and, when we are further informed that, at the council of war called on the evening of the 20th, even newly-made Colonels *opposed* the plans for the advance, we can scarcely wonder if what left Washington as an army should have returned a rabble.

One good came of that defeat: the country was made to realize the importance of a thorough reorganization of our Army System—the necessity for discipline and drill—the futility of the “On to Richmond” cry until a clear, straight-forward and palpable policy was ordained in Administration circles.

The number engaged has been so variously stated, that it is now, and doubtless ever will be, a matter of some speculation. McDowell named eighteen thousand as the actual number of those who crossed Bull Run; but this, we surmise, represented the divisions of Hunter and Heintzelman alone—those who first crossed. Adding the brigades of Sherman and Keyes, afterwards sent over, and we have, for the actual Federal force engaged, about twenty-four thousand troops, exclusive of the artillery. This would leave fifteen thousand to represent the number of the reserves, considering the entire army to have aggregated forty thousand, which, we believe, was the force set apart for the advance. This did not include the reinforcements dispatched by the Secretary of War after his return to Washington, on the evening of the 20th, but which had not passed Fairfax when the retreat was sounded.

Beauregard places the numbers of McDowell at over fifty thousand. He arrives at his estimates in the following manner: “To serve the future historian of this war, I will note the fact that *among the captured Federalists are officers and men of forty-seven regiments of volunteers, besides from some nine different regiments of regular troops, detachments of which were engaged.* From their official reports we learn of a regiment of volunteers

engaged, six regiments of Miles’ division, and the five regiments of Runyon’s brigade, from which we have neither sound nor wounded prisoners. Making all allowances for mistakes, we are warranted in saying that the Federal army consisted of at least fifty-five regiments of volunteers, eight companies of regular infantry, four of marines, nine of regular cavalry, and twelve batteries one hundred and nineteen guns.”

But, taking his own estimate of eight hundred to a regiment, after deducting the sixteen regiments of reserves—nine in Miles’ division, six in Runyon’s and one in Tyler’s—we have but thirty-two thousand as his estimate of the Federal force in action. This is overstated about eight thousand: not to exceed twenty-four thousand were on the field, we are sure.

Of the strength of his own force we are left in much doubt. He states positively that he had, on the 21st, twenty-seven thousand effectives, which included sixty-two hundred from Johnston’s army and seventeen hundred from Fredericksburg. But, the enumeration of his brigades and regiments conclusively proves these figures to be an under-estimate; while the fact that Johnston’s reenforcement is set down as but sixty-two hundred, shows how much of the truth was suppressed—that reenforcement actually amounting to seventeen thousand effective men. It was the arrival on the ground, at three o’clock in the afternoon, of a fresh body of these men, (about five thousand strong, which gave the Confederates the victory.\*

\* Jefferson Davis, in his speech at Richmond, announcing the victory and its results, stated the Confederate force engaged to have been but eighteen thousand. How near this was to the truth, may be inferred from his further statement, that the captures included “*sixty pieces of splendid artillery*” and “*provisions enough to feed an army of fifty thousand men for twelve months.*” As the entire Federal artillery on the field consisted of but *twenty-two pieces*, [See Major Barry’s Official Report.] and as McDowell had to keep open his communication with Washington in order to obtain his daily subsistence, the statements of the President may be pronounced so at variance with the truth as to be surprising even for him.

The Numbers Engaged on Both Sides



The Losses on Both  
Sides.

Of the actual losses we are equally uncertain. There is much discrepancy in the

statements of the two commanders, while there are good reasons to doubt the correctness of either. Thus McDowell said: "It will be seen that our killed amounted to nineteen officers and four hundred and sixty-two non-commissioned officers and privates, and our wounded to sixty-four officers and nine hundred and forty-seven non-commissioned officers and privates. Many of the wounded will soon be able to join the ranks, and will leave our total of killed and disabled from further service under one thousand. The return of the missing is very inaccurate, the men supposed to be missing having fallen into other regiments and gone to Washington—many of the Zouaves to New York. In one brigade, the number originally reported six hundred and sixteen, was yesterday reduced to one hundred and seventy-four. These reductions are being made daily. In a few days a more correct return can be made." That correct return never was made, though the figures were given, eventually, as four hundred and seventy-nine killed, one thousand and eleven wounded, and about one thousand five hundred taken prisoners. Beauregard, giving the data for his estimates, made the Federal loss to have been over four thousand five hundred. His report was accompanied by a list of one thousand four hundred and sixty of the wounded and prisoners. As his report was made out over a month *after* the battle, the list must have contained every Federal in his hands. If so, his confident assumption that our loss exceeded four thousand five hundred, would make the list of killed reach the extraordinary number of three thousand. The killed, as ascertained by company returns and by a comparison with the lists from Richmond, only reached the figures given above, viz.: four hundred and seventy-nine.

Beauregard stated his captures of spoils to have included, *in part*, "some twenty-eight field pieces of the best character of arm, with over one hundred rounds of ammunition for each gun, thirty-seven caissons, six forges, four battery wagons, sixty-four artillery horses, completely equipped, five hundred thousand

rounds of small-arms' ammunition, four thousand

## The Spoils.

five hundred sets of accoutrements, over five hundred muskets, some nine regimental and garrison flags, with a large number of pistols, knapsacks, swords, canteens, blankets, a large store of axes and intrenching tools, wagons, ambulances, horses, camp and garrison equipment, hospital stores and some subsistence." As he assumed that these were his captures only *in part*, we are left to infer that further additions were to be made to the schedule which he had been a month in preparing. The entire artillery of McDowell, according to Major Barry's specifications of batteries, guns and calibre, amounted to *forty-nine pieces*—twenty-eight of which were rifled. Twenty-one pieces did not go over the stream at all, and were all (except one) returned safely to the Potomac. Griffin brought back two guns of his battery—a Parrott piece and a twelve-pound howitzer. (Three of his Parrott guns were brought off but two had to be abandoned after the Run was passed, owing to the exhaustion of the horses dragging them.) All of the Ricketts' guns—six Parrott ten-pounders—were lost, as well as two of Arnold's guns—thirteen-pound James' rifled pieces; three of Griffin's guns—a twelve-pound howitzer and two Parrott guns; the Second Rhode Island battery—one thirteen-pound James' rifled gun left on the field, and five lost after having been brought off safely as far as Cub Run, where they had to be abandoned owing to the obstruction of the bridge by an overturned wagon—making six guns lost by it. These comprise every gun lost—being seventeen in all. Beauregard's statement, therefore, of "*some* twenty-eight field pieces," was a fiction. If his other spoils dwindled down in proportion, the captures were not enough to enrich his treasury.

We are prepared, after this sifting of "official" statements, to lay before

Congratulatory Address of the Rebel  
Generals

the reader the Address issued by the two rebel Generals to their troops. It read:

"HEAD-QUARTERS OF THE ARMY OF THE POTOMAC,  
"MANASSAS JUNCTION, July 28, 1861. }  
"Soldiers of the Confederate States:

"One week ago a countless host of men, organized into an army, with all the appointments which



Address of the Rebel  
Generals.

modern art and practiced skill  
could devise, invaded the soil  
of Virginia.

"Their people sounded their approach with triumphant displays of anticipated victory. Their Generals came in almost regal state. Their ministers, Senators and women came to witness the immolation of this army and the subjugation of our people, and to celebrate these with wild revelry.

"It is with the profoundest emotions of gratitude to an overruling God, whose hand is manifest in protecting our homes and your liberties, that we, your Generals commanding, are enabled, in the name of our whole country, to thank you for that patriotic courage, that heroic gallantry, that devoted daring, exhibited by you in the actions of the 18th and 21st of July, by which the host of the enemy was scattered, and a signal and glorious victory was achieved.

"The two affairs of the 18th and 21st were but the sustained and continued efforts of your patriotism against the constantly recurring colors of an enemy fully treble our numbers, and this effort was crowned on the evening of the 21st with a victory so complete that the invaders were driven from the field, and made to fly in disorderly rout back to their intrenchments, a distance of over thirty miles.

"They left upon the field nearly every piece of their artillery, a large portion of their arms, equipments, baggage, stores, &c., and almost every one of their wounded and dead, amounting, together with the prisoners, to many thousands; and thus the Northern hosts were driven by you from Virginia.

"Soldiers, we congratulate you on an event which insures the liberty of our country. We congratulate every man of you whose glorious privilege it was to participate in this triumph of courage and truth, to fight in the battle of Manassas. You have created an epoch in the history of liberty, and unborn nations will rise up and call you blessed. Continue this noble devotion, looking always to the protection of the just God, and before time grows much older, we will be hailed as the deliverers of a nation of ten millions of people.

"Comrades, our brothers who have fallen have earned undying renown, and their blood, shed in our holy cause, is a precious and acceptable sacrifice to the Father of Truth and Right; their graves are beside the tomb of Washington, their spirits have joined his in eternal communion. We will hold the soil in which the dust of Washington is mingled with the dust of our brothers. We drop one tear on their laurels, and move forward to avenge them.

"Soldiers, we congratulate you on a glorious tri-

umph and complete victory. We thank you for doing your whole duty in the service of your country."

"JOSEPH E. JOHNSTON,

"G. T. BEAUREGARD."

It would be well for the  
memory of the Confeder-  
ate leaders if the historian

Atrocity towards the  
Wounded and Dead

were spared the painful task of recording the scenes which followed their victory. A battle-field strewn with the dead and dying, an air echoing with the shrieks of the wounded, it would be supposed were surroundings calculated to excite all the best emotions of the human heart—emotions of pity, the desire to relieve suffering, the wish to soothe the couch of the dying. But, we have the blasting record before us which shows that pity and mercy were dead in bosoms "fired" for the Southern cause; and we read, with mingled feelings of disgust, indignation and shame, that these conquerors on the field treated their dead and wounded enemy and their prisoners, with a refinement of atrocity which only finds its parallel, in the horrors perpetrated by the Chinese Imperialists on their rebel victims, under the eyes and guns of the English.

In the report of the Committee appointed under the resolution of April 1st, 1862, to "collect evidence with regard to barbarous treatment by the rebels, at Manassas, of the remains of officers and soldiers killed in battle there," we have all the data necessary to confirm previous insinuations of extreme cruelty practiced upon our wounded and the fiendish usage shown to the remains of our dead by the Confederates after their victory. It appears by the evidence adduced that our wounded languished for several days, some on the field, others in disgusting and overcrowded quarters, before any attention was paid to them—that our own surgeons, who had voluntarily remained on the field after the battle in order to be permitted to care for their friends, were forbidden to exercise any care for the suffering—that young and inexperienced surgeons were encouraged to "operate" on our wounded—that food and water both were doled out in meagre quantities and in unsuitable quality—that insults of words were unceasing and at times very gross—that in Richmond the



prisoners were treated like dogs—and, finally, that the dead were mutilated on the field, in their graves, and at the dissection-table to gratify the malignity of those who professed to claim “chivalry” as exclusively their own. The report of the Committee is frightful to peruse, the evidence is so overwhelming, so damning. We can quote but a few paragraphs that the reader may judge for himself as to the nature of the offense which forever must cover the names of those concerned with infamy.

Atrocity towards the  
Wounded and Dead.

After detailing a number  
of cases of violent injury and  
outrage inflicted upon the

living, the report proceeds to consider the testimony adduced of violence and barbarism toward the bodies of the dead:

“Revolted as these disclosures are, it was when the committee came to examine witnesses in reference to the treatment of our heroic dead that the fiendish spirit of the rebel leaders was most prominently exhibited. Daniel Bixby, jr., of Washington, testifies that he went out in company with Mr. G. A. Smart, of Cambridge, Massachusetts, who went to search for the body of his brother, who fell at Blackburn’s Ford in the action of the 18th of July. They found the grave. The clothes were identified as those of his brother on account of some peculiarity in the make, for they had been made by his mother; and, in order to identify them, other clothes made by her were taken, that they might compare them.

“We found no head in the grave, and no bones of any kind—nothing but the clothes and portions of the flesh. We found the remains of three other bodies all together. The clothes were there; some flesh was left, but no bones.’ The witness also states that Mrs. Pierce Butler, who lives near the place, said that she had seen the rebels boiling portions of the bodies of our dead in order to obtain their bones as relics. They could not wait for them to decay. She said that she had seen drumsticks made of ‘Yankee shinbones,’ as they called them. Mrs. Butler also stated that she had seen a skull that one of the New Orleans artillery had, which, he said, he was going to send home and have mounted, and that he intended to drink a brandy punch out of it the day he was married.

“Frederick Scholes, of the city of Brooklyn, New York, testified that he proceeded to the battle-field of Bull Run on the fourth of this month (April) to find the place where he supposed his brother’s body was buried. Mr. Scholes, who is a man of unquestioned character, by his testimony fully confirms

the statements of other witnesses. He met a free negro, named Simon or Simons, who

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stated that it was a common thing for the rebel soldiers to exhibit the bones of the Yankees. ‘I found,’ he says, ‘in the bushes in the neighborhood, a part of a Zouave uniform, with the sleeve sticking out of the grave, and a portion of the pantaloons. Attempting to pull it up, I saw the two ends of the grave were still unopened, but the middle had been pried up, pulling up the extremities of the uniform at some places, the sleeves of the shirt in another, and a portion of the pantaloons. Dr. Swalm (one of the surgeons, whose testimony has already been referred to) pointed out the trenches where the secessionists had buried their own dead, and, on examination, it appeared that their remains had not been disturbed at all. Mr. Scholes met a free negro, named Hampton, who resided near the place, and when he told him the manner in which these bodies had been dug up he said he knew it had been done, and added, that the rebels had commenced digging bodies two or three days after they were buried, for the purpose, at first, of obtaining the buttons off their uniforms, and that afterwards they disinterred them to get their bones. He said they had taken rails and pushed the ends down in the centre under the middle of the bodies, and pried them up. The information of the negroes of Benjamin Franklin Lewis corroborated fully the statement of this man Hampton. They said that a good many of the bodies had been stripped naked on the field before they were buried, and that some were buried naked. I went to Mr. Lewis’s house and spoke to him of the manner in which these bodies had been disinterred. He admitted that it was infamous, and condemned principally the Louisiana Tigers, of General Wheat’s division. He admitted that our wounded had been very badly treated.’ In confirmation of the testimony of Dr. Swalm and Dr. Homiston, this witness avers that Mr. Lewis mentioned a number of instances of men who had been murdered by bad surgical treatment. Mr. Lewis was afraid that a pestilence would break out in consequence of the dead being left unburied, and stated that he had gone and warned the neighborhood and had the dead buried, sending his own men to assist in doing so. ‘On Sunday morning (yesterday) I went out in search of my brother’s grave. We found the trench, and dug for the bodies below. They were eighteen inches to two feet below the surface, and had been hustled in in any way. In one end of the trench we found, not more than two or three inches below the surface, the thigh bone of a man which had evidently been dug up after the burial. At the other end of the trench we found the shin-bone of a man, which had been struck by a



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musket ball and split. The bodies at the ends had been pried up. While digging there, a party of soldiers came along and showed us a part of a shin-bone, five or six inches long, which had the end sawed off. They said that they had found it among other pieces in one of the cabins the rebels had deserted. From the appearance of it, pieces had been sawed off to make finger rings. As soon as the negroes noticed this, they said that the rebels had had rings made of the bones of our dead, and that they had them for sale in their camps. When Dr. Swalm saw the bone he said it was a part of the shin-bone of a man. The soldiers represented that there were lots of these bones scattered through the rebel huts sawed into rings,' &c. Mr. Lewis and his negroes all spoke of Colonel James Cameron's body, and knew that 'it had been stripped, and also where it had been buried.' Mr. Scholes, in answer to a question of one of the committee, described the different treatment extended to the Union soldiers and the rebel dead. The latter had little head-boards placed at the head of their respective graves and marked; none of them had the appearance of having been disturbed.

"The evidence of that distinguished and patriotic citizen, Honorable William Sprague, Governor of the State of Rhode Island, confirms and fortifies some of the most revolting statements of former witnesses. His object in visiting the battle-field was to recover the bodies of Colonel Slocum and Major Ballou, of the Rhode Island regiment. He took out with him several of his own men to identify the graves. On reaching the place he states that 'we commenced digging for the bodies of Colonel Slocum and Major Ballou, at the spot pointed out to us by these men who had been in the action. While digging, some negro women came up and asked whom we were looking for, and at the same time said that "Colonel Slogun" had been dug up by the rebels, by some men of a Georgia regiment, his head cut off, and his body taken to a ravine thirty or forty yards below, and there burned. We stopped digging and went to the spot designated, where we found coals and ashes and bones mingled together. A little distance from there we found a shirt (still buttoned at the neck) and blanket with large quantities of hair upon it, everything indicating the burning of a body there. We returned and dug down at the spot indicated as the grave of Major Ballou, but found no body there; but at the place pointed out as the grave where Colonel Slocum was buried, we found a box, which, upon being raised and opened, was found to contain the body of Colonel Slocum. The soldiers who had buried the two bodies were satisfied that the grave had been opened; the body

taken out, beheaded, and burned, was that of Major Ballou, because it was not in the spot

where Colonel Slocum was buried, but rather to the right of it. They at once said that the rebels had made a mistake, and had taken the body of Major Ballou for that of Colonel Slocum. The shirt found near the place where the body was burned I recognized as one belonging to Major Ballou, as I had been very intimate with him. We gathered up the ashes containing the portion of his remains that were left, and put them in a coffin together with his shirt and the blanket with the hair left upon it. After we had done this we went to that portion of the field where the battle had first commenced, and began to dig for the remains of Captain Tower. We brought a soldier with us to designate the place where he was buried. He had been wounded in the battle, and had seen from the window of the house, where the captain was interred. On opening the ditch or trench we found it filled with soldiers, all buried with their faces downward. On taking up some four or five we discovered the remains of Captain Tower, mingled with those of the men. We took them, placed them in a coffin, and brought them home.'

"In reply to a question of a member of the committee as to whether he was satisfied that they were buried intentionally with their faces downward, Governor Sprague's answer was, 'Undoubtedly! Beyond all controversy!' and that 'it was done as a mark of indignity.' In answer to another question as to what their object could have been, especially in regard to the body of Colonel Slocum, he replied: 'Sheer brutality, and nothing else. They did it on account of his courage and chivalry in forcing his regiment fearlessly and bravely upon them. He destroyed about one half of that Georgia regiment, which was made up of their best citizens.' When the inquiry was put whether he thought these barbarities were committed by that regiment, he responded, 'by that same regiment, I was told.' While their own dead were buried with marble head and foot stones, and names upon them, ours were buried, as I have stated, in the trenches. This eminent witness concludes his testimony as follows: 'I have published an order to my second regiment, to which these officers were attached, that I shall not be satisfied with what they shall do unless they give an account of one rebel killed for each one of their own number.'

"The members of your committee might content themselves by leaving this testimony to the Senate and the people without a word of comment; but when the enemies of a just and generous Government are attempting to excite the sympathy of disloyal men in our own country, and to solicit the

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aid of foreign governments by  
the grossest misrepresentations  
of the objects of the war, and

of the conduct of the officers and soldiers of the republic, this, the most startling evidence of their insincerity and inhumanity, deserves some notice at our hands."

The Report further adds :

"The outrages upon the dead will revive the recollections of the cruelties to which savage tribes subject their prisoners. They were buried in many oases naked, with their faces downward ; they were left to decay in the open air ; their bones were carried off as trophies, sometimes, as the testimony proves, to be used as personal adornments, and one witness deliberately avers that the head of one of our most gallant officers was cut off by a secessionist to be turned into a drinking cup on the occasion of his marriage. Monstrous as this revelation may appear to be, your committee have been informed that during the last two weeks the skull of a Union soldier has been exhibited in the office of the Sergeant-at-arms of the House of Representatives, which had been converted to such a purpose, and which had been found on the person of one of the rebel prisoners taken in a recent conflict. The testimony of Governor Sprague, of Rhode Island, is most interesting. It confirms the worst reports against the rebel soldiers, and conclusively proves that the body of one of the bravest officers in the volunteer service was burned. He does not hesitate to add that this hyena desecration of the honored corpse was because the rebels believed it to be the body of Colonel Slocum, against whom they were infuriated for having displayed so much courage and chivalry in forcing his regiment fearlessly and bravely upon them."

How justly, in view of this horrible array of evidence, did the committee remark : "Every step of this monstrous treason has been marked by violence and crime. No transgression has been too great, no wrong

too startling, for its leaders. They disregarded the sanctity of the oaths they had taken to support the Constitution ; they repudiated all their obligations to the people of the Free States ; they deceived and betrayed their own fellow citizens, and crowded their armies with forced levies ; they drove from their midst all who would not yield to their despotism, or filled their prisons with men who would not enlist under their flag. They have now crowned the rebellion by the perpetration of deeds scarcely known even to savage warfare. The investigations of your committee have established this fact beyond controversy.

"Inhumanity to the living has been the leading trait of the rebel leaders ; but it was reserved for your committee to disclose as a concerted system their insults to the wounded, and their mutilation and desecration of the gallant dead. Our soldiers taken prisoners in honorable battle, have been subjected to the most shameful treatment. All the considerations that inspire chivalric emotion and generous consideration for brave men have been disregarded. It is almost beyond belief that the men fighting in such a cause as ours, and sustained by a Government which in the midst of violence and treachery has given repeated evidence of its indulgence, should have been subjected to treatment never before resorted to by one foreign nation in a conflict with another."

The curtain of the tragedy of Bull Run was painted in tears and blood ; yet a scene was enacted behind the veil over which angels must have wept : let us pray that the civilized world never again shall be pained by its reproduction.



## CHAPTER IV.

THE FIRST CAMPAIGN IN MISSOURI. LYON'S ADDRESS. HIS PURSUIT OF JACKSON. BATTLE OF BOONEVILLE. EXCITEMENT THROUGHOUT THE STATE. MOVEMENT OF TROOPS TO THE SOUTH. BATTLE OF CARTHAGE. SIEGEL'S MASTERLY RETREAT. STATE OF AFFAIRS AT ST. LOUIS IN JULY. BATTLE OF DUG SPRINGS. BATTLE OF WILSON'S CREEK AND DEATH OF LYON. RETREAT FROM SPRINGFIELD. DOINGS OF THE CONVENTION

Governor Jackson's  
Rendezvous at  
Booneville.

THE campaign of Missouri opened with Lyon's pursuit of Jackson. The Governor, as announced, (see page 66,) fled from Jefferson City, June 12th, having issued his proclamation calling out fifty thousand troops to repel "the invaders" and secure the independence of the State. He took steamer on the 13th, for Booneville, having loaded the transport with State ordnance, munitions, stores, &c., which the vigilance of Price had succeeded in securing for the anticipated emergency. The troops called for were ordered to rendezvous at Booneville, at which place the Governor resolved to make a stand against the Federal forces.

General Lyon's De-  
scent on Booneville.

General Lyon was awake to the emergency. The forces at his immediate disposal (four excellent regiments of volunteers and several battalions of regulars) had been ready for moving for several days. Two regiments of Iowa men were at Keokuk ready for co-operation. Eight Illinois regiments were placed within two hours' march of St. Louis to await Lyon's requisition.

On the night of the 12th, six companies of Siegel's Missouri volunteers started for the Rolla terminus of the south-west branch of the Pacific Railroad—the four additional companies following the next morning. This force left squads at all important bridges to protect them against incendiaries, but the main body moved direct for Rolla, to watch the rebels in that direction and to crush out any uprising under the inspiration of Jackson's Proclamation and Price's orders. Colonel Salomon's regiment now followed, when

the united forces pushed on for Springfield where it was understood the rebels were to gather in force. The Gasconade and Osage River bridges having been burned, Lyon secured transports and prepared to push after Price and Jackson immediately, proposing to strike them ere they should have time and opportunity for placing a large army in the field. On the afternoon of Thursday, June 13th, the steamer *Iatan* left St. Louis for Jefferson City, having on board the Second battalion of the First regiment Missouri volunteers, under command of Lieutenant-Colonel Andrews, one section of Totten's light artillery, and two companies of regulars, under Captain Lathrop. The steamer *Swan* also loaded and departed for the same point with the First battalion of the First regiment, under Colonel Blair, and another section of Totten's battery, and a detachment of pioneers. General Lyon and staff embarked in her. Other transports were ordered to follow.

While these steamers were ploughing up stream, the steamer *White Cloud*

The Rebel Forces at  
Booneville.

was pressing for Booneville, having on board the Governor, State officers, records, &c., as well as a full load of cannon, military stores and troops. Other transports followed, bearing loads of "State Guards" and the motley masses of cut-throats who quickly responded to the call of Jackson and Price. The "Border Ruffians" had long been out of employ: here was a fine field and a congenial service. They hastened to Price's standard in great numbers, having ground from their "Arkansas tooth-picks" the blood-stains of



Kansas settlers, to prepare them for fresh duty in their old cause—the cause of revolution and slavery. The Governor and his forces debarked at Booneville, near which preparations were at once taken for defense. Lyon's rapid movements compelled the rebels to great exertions. The country along the river, from Booneville to the Kansas border, was strongly secession, contributing men and provisions for the Governor's camp. Above that it again became loyal, owing doubtless to its close proximity to Kansas and Iowa. Colonel Curtis' sudden appearance at St. Joseph, with his Iowa volunteers, also had much to do in confirming the faith of the loyalists. Colonel Bates' First Iowa volunteers were distributed along the line of the North Missouri Railway to protect its property and to be within easy supporting distance. These dispositions of Federal forces confined Jackson's hope of immediate co-operation to the region round about Booneville.

After reading the proclamation of Jackson (see page 166), Lyon prepared an address, which was published on the 17th. It gave his version of his relations with the Governor, and also announced the War Department's instructions under which he had acted and intended to act. This important and well-written document it is necessary to give at length, since it is the *brief* of the whole Federal action in Missouri:

*To the Citizens of Missouri:*

Lyon's Address. "Prior to the proclamation issued by Governor Jackson, of date of June 12th, it is well known to you that the Governor and Legislature sympathized with the rebellion movements now in progress in the country, and had adopted every means in their power to effect a separation of this State from the General Government. For this purpose, parties of avowed Secessionists have been organized into military companies throughout the State, with the full knowledge and approval of the Governor. The establishment of encampments in the State at an unusual period of the year, and authorized for an indefinite period, could have had no other object than the concentration of a large military force, to be subjected to the provisions of the military law then in contemplation, and subsequently passed—a bill so offensive to all peaceable inhabitants, and so palpably unconstitutional, that it could be accepted by those only who were willing to conform to its ex-

traordinary provisions for the purpose of effecting their cher-

Lyon's Address.

ished object—the disruption of the Federal Government. The bill provides for an obligation to the State, on the part of all persons enrolled under its provisions, irrespective of any obligation to the United States, when the Constitution requires all State officers to take an oath of allegiance to the United States. This of itself is a repudiation of all authority of the Federal Government, whose Constitution is the supreme law on the part of the State Government, its officers, and such citizens as might choose to adopt the provisions of the bill, and, coupled as it was, on the part of the Legislature and the Governor, with declarations hostile to its authority and in sympathy with those who were arrayed in a condition of actual hostility against it, could leave no doubt of its object to carry out the provisions of this extraordinary bill, having in direct view hostilities to the Federal Government. It was so denounced by General Harney, who characterized it as a Secession ordinance in his proclamation of 14th of May last. That proclamation, doubtless, gave rise to an interview between General Harney and General Price, that resulted in an agreement which it was hoped would lead to a restoration of tranquillity and good order in your State. That a repudiation of the military bill, and all efforts of the militia of the State under its provisions, was the basis of the agreement, was shown as well by this proclamation of General Harney immediately preceding it, as by a paper submitted to General Price, containing the preliminary conditions to an interview with him.

"This agreement failed to define specifically the terms of the peace or how far a suspension of the provisions of the military bill should form a part of it, though, from the express declaration of General Harney at the time of the conference, as well as from the foregoing paper, a suspension of any action under the bill until there could be a judicial determination of its character by some competent tribunal, must in good faith be regarded as a fundamental basis of the negotiation.

"Nevertheless, immediately after this arrangement, and up to the time of Governor Jackson's proclamation inaugurating complaints of attempts to execute the provisions of this bill, by which most exasperating hardships have been imposed upon peaceful, loyal citizens, coupled with persecutions and proscriptions of those opposed to its provisions, have been made to me as Commander of the United States forces here, and have been carried to the authorities at Washington, with appeals for relief, from the Union men of all parties of the State who have been abused, insulted, and, in some instances, driven from their homes.



Lyon's Address.

"That relief I conceive it to be the duty of a just Government to use every exertion in its power to give. Upon this point the policy of the Government is set forth in the following communication from the department at Washington :

" ' ADJUTANT-GENERAL'S OFFICE, }  
WASHINGTON, May 27th, 1861. }

" ' Brigadier-General W. S. HARNEY,

" ' *Commanding Department West, St. Louis :*

" ' Sir : The President observes with concern that notwithstanding the pledge of the State authorities to co-operate in preserving the peace in Missouri, loyal citizens in great numbers continue to be driven from their homes. It is immaterial whether these outrages continue from inactivity or indisposition on the part of the State authorities to prevent them. It is enough that they continue, and it will devolve on you the duty of putting a stop to them summarily, by force under your command, to be aided by such troops as you may require from Kansas, Iowa and Illinois. The professions of loyalty to the Union by the State authorities of Missouri are not to be relied upon. They have already falsified their professions too often, and are too far committed to secession to be admitted to your confidence, and you can only be sure of their desisting from their wicked purposes when it is not in their power to prosecute them. You will, therefore, be unceasingly watchful of their movements, and not permit the clamors of their partisans and opponents of the measures already taken, to prevent you from checking every movement against the Government, however disguised, under the pretended State authority. The authority of the United States is paramount, and whenever it is apparent that a movement, whether by order of State authority or not, is hostile, you will not hesitate to put it down.

" (Signed,) L. THOMAS, Adjutant-General."

"It is my design to carry out these instructions in their letter and spirit. Their justice and propriety will be appreciated by whoever takes an enlightened view of the relations of the citizens of Missouri to the General Government. Nor can such policy be construed as at all disparaging to the rights or dignity of the State of Missouri, or as infringing in any sense upon the individual liberty of its citizens. The recent proclamation of Governor Jackson, by which he has set at defiance the authorities of the United States, and urged you to make war upon them, is but a consummation of his treasonable purposes, long indicated by his acts and expressed opinions, and now made manifest. If, in suppressing these treasonable projects, carrying out the policy of the Government and maintaining its dignity as above indicated, hostilities should unfortunate-

ly occur, and unhappy consequences should follow, I would hope that all aggravation of those events may be avoided, and that they may be diverted from the innocent and may fall only on the heads of those by whom they have been provoked.

"In the discharge of these plain but onerous duties, I shall look for the countenance and active co-operation of all good citizens, and I shall expect them to discountenance all illegal combinations or organizations, and support and uphold, by every lawful means, the Federal Government, upon the maintenance of which depend their liberties and the perfect enjoyment of all their rights.

" (Signed,)

N. LYON,

"Brigadier-General United States Volunteers, Commanding."

Lyon landed at Jefferson City on the morning of the 15th, where several additional transports soon arrived with troops from St. Louis. Having installed Colonel Boernstein as Military Governor, on the afternoon of the 16th he proceeded up the river in three steamers with his troops, consisting of the regiment of Colonel Frank Blair, one half of Boernstein's men, several companies of regulars and a detachment of regular artillery, under command of Captain Totten. This force reached Rockport on the morning of the 17th, and immediately crossed the river to seek for the Secessionists, whose encampment was four and a half miles below Booneville, on the Missouri river. Governor Jackson and Price had their headquarters at Booneville; and, on the morning of the 17th, had about three thousand five hundred half-armed men awaiting their orders. Informed of the rapid approach of Lyon, Jackson and Price resolved not to make a stand, and had (on the 16th) ordered the State Guards to disband; but, the appearance of Lyon on the 17th arrested the unsettled movements of the disconcerted rebels and compelled them to fight or surrender. Price, being sick, retired from all conduct of affairs. Colonel Marmaduke, then in command at the camp, resolved to fight. Hoping to surprise the National troops ere they could land from their transports, the rebel Colonel started for the landing (some two miles below) only to meet Lyon at the head of his force, moving in good order direct for camp. Skirmishing followed, when the State ad-

The Battle of Booneville.



vance fell back. Marmaduke placed his force — consisting of two regiments and a strong detachment of cavalry—in good position to receive the attack. Totten opened with his guns, the infantry filed left and right along the road, and opened with musketry. It was but a brief matter, however, for the rebels soon gave way and fled with much precipitation to their partially fortified quarters. Upon that place, a howitzer on board one of the steam transports was made to bear, and planted its shots so cleverly that Marmaduke's men incontinently scattered in disorder, leaving as spoils for the Union army a large amount of camp equipage, much stores, considerable clothing, arms, &c., &c. A battery of two guns commanding the river, abandoned by the rebel infantry, was taken, together with its horses, equipments and men. The howitzer on the transport, having a good view of the flying foe, added to their terror by a few shots, which did some havoc.

Thus ended the "battle of Booneville"—a mere farce of a fight at best. Jackson viewed the smoke of the battle from afar, and fled to the west with all the haste of a bearer of dispatches. Price "retired" toward Warsaw, whither many of the troops made their way—their design being eventually to form a junction with the advancing forces of McCullough and Rains. The Federal loss was two killed and ten wounded. The enemy's loss was about forty killed and wounded and a large number of prisoners. From Boone-

ville Lyon issued his first  
Lyon's Proclamation.

military proclamation to those in arms and to the citizens. After referring to the treasonable act of Jackson in his late proceedings, the General recurred to his own procedure in suppressing the insurrection sought to be created. His descent on that point had resulted in his seizure of a number of the troops who had gathered to the standard of rebellion, most of whom were "prisoners of immature age" who had been, by their own professions, induced to take up arms against the Government through the calumnies and falsehoods of the rebel leaders. These he had released, saying: "I have done this in spite of the well-known facts that the leaders in the present rebellion, hav-

ing long experienced the mildness of the General Government, still feel confident that this mildness cannot be overtaxed even by factious hostilities, having in view its overthrow; but lest, as in the case of the late Camp Jackson affair, this clemency shall still be misconstrued, it is proper to give warning that the Government cannot always be expected to indulge in it to the compromise of its evident welfare." He then added:

"Hearing that those plotting against the Government have falsely represented that the Government troops intended a forcible and violent invasion of Missouri for purposes of military despotism and tyranny, I hereby give notice to the people of this State that I shall scrupulously avoid all interference with the business, right and property of every description recognized by the laws of the State, and belonging to law-abiding citizens. But it is equally my duty to maintain the paramount authority of the United States with such force as I have at my command, which will be retained only so long as opposition makes it necessary, and that it is my wish, and shall be my purpose, to visit any unavoidable rigor arising in this issue upon those only who provoke it.

"All persons who, under the misapprehensions above mentioned, have taken up arms, or who are now preparing to do so, are invited to return to their homes and relinquish their hostilities toward the Federal Government, and are assured that they may do so without being molested for past occurrences."

This dispersion of the  
rebels was followed by their

Onslaught at Cole.

hasty retreat towards the south. A strong detachment of the "State Guard," retreating towards Warsaw, on the 18th, fell upon a half-organized regiment of Home (Federal) Guards commanded by Captain Cook, at Cole, killing twenty-three of them, wounding twenty and bearing off thirty as prisoners. This savage onslaught by over twelve hundred men upon a surprised and only partially armed foe, mustering, all told, about four hundred muskets, was the revenge the ruffians wreaked for their defeat on the previous day. They found the unsuspecting Unionists in a barn, and shot into it at their pleasure, from behind trees and fences, picking off every man who ventured in sight. A gallant sally was made by Captain Cook, by which the remnant of his little force escaped slaughter entire.



## Lyon's Policy.

A concentration of National troops followed Lyon's occupation of Jefferson and Booneville. A quick campaign was to be prosecuted, in order, if possible, to crush the Secessionists before they could receive aid from the Confederacy or could effect a thorough organization among themselves. Lyon's policy was characterized by decision. His perceptions were clear, his movements rapid, his enthusiasm inspiring. He was the right man in the right place. Had Government thrown men and means into Missouri to his call, he would have swept the rebels from the State in a few weeks' time. But, Government was so deeply absorbed in affairs around Washington that Lyon's plans were left to be consummated with no further help than the adjoining States could bestow in furnishing a few regiments of partially armed men. The first regiments of Missouri volunteers were armed chiefly through the exertions of General Lyon and Colonel Frank Blair; but the inadequate supply of arms soon restricted the usefulness of the Missouri Unionists, and thus crippled Lyon to a serious degree.\*

\* To show how slowly arms were supplied to the several States, for placing their volunteers in the field, we may give the following table of the deliveries from the Springfield (Massachusetts) Armory from April 1st to July 1st, 1861 :

To States, for arming volun- teers and Home Guards.	Muskets Patent of 1822.	Muskets, Patent of 1840.	Muskets, Patent of 1842.	Rifle Muskets, Patent of 1855.	Rifles, Patent of 1842.	Total to each State.
Vermont.....			770	300	.....	1,070
Massachusetts.....			7,462	590	443	8,405
Connecticut.....			1,730	216	.....	1,946
Rhode Island.....			340	.....	660	1,000
Maine.....			3,360	344	.....	3,704
New Hampshire.....			2,000	.....	.....	2,000
New York.....	7,720		24,900	40	.....	32,660
New Jersey.....			1,850	.....	.....	1,850
Pennsylvania.....	5,000	4,000	2,000	.....	.....	11,000
Ohio.....			10,000	.....	.....	10,000
Michigan.....			1,500	.....	.....	1,500
Indiana.....	2,500	2,500	.....	1,062	750	6,812
Wisconsin.....			1,040	.....	.....	1,040
Iowa.....			1,000	.....	.....	1,000
Missouri.....			5,000	.....	.....	5,000
Total.....	7,500	14,220	62,952	2,462	1,853	88,987

During the same time there were delivered to the several Government arsenals the following, for Government disposition and use: New York Arsenal, 2,200 muskets, patent of '42; 2,600 rifle muskets, patent of '55; ten Coehorn mortars—total, 4,810.

Washington Arsenal, 802 rifle muskets of '55.

Alleghany Arsenal, 1,000 rifle muskets of '55.

Colonel Boernstein issued his proclamation at Jefferson City on the 17th of June, announcing the flight of the Governor and State officers. He declared his purpose to co-operate with the judicial and civil authorities to preserve law and order.

Colonel Siegel arrived at Springfield, in the south-western section of the State, June 23d, and was quickly followed by the regiments of Colonels Salomon and Brown. On the 24th, five companies of cavalry, six companies of infantry and dragoons, and two companies of volunteers, in all about one thousand five hundred men, with one battery, all under the command of Major S. D. Sturgis, left Kansas City destined for the same point. Lyon's forces at Booneville lacked so much for transportation as to be unable to move southward after Price, and to co-operate with the troops already passed down by way of Rolla, until July 2d, when, with three thousand men, he took up his march *via* Smithton for Osceola, there to effect a junction with Sturgis' force. He left the north-western section of the State in the keeping of three regiments—the Second and Third Iowa and Sixteenth Illinois—all under the general command of Colonel Smith, with head-quarters at Palmyra. This force was deemed amply sufficient to control the secession element and to protect the railway property in that region.

Learning that Jackson was coming down through Cedar county, from the north, with his "gathered bands of ragamuffins and cut-throats," Siegel pushed out from Springfield to Mount Vernon to prevent his junction with Price, who was then near Neosho, with about

St. Louis Arsenal, 2,500 muskets of '22; 2,500 muskets of '40—total, 5,000.

West Point Cadets, 300 rifle muskets of '55.

Carlisle Barracks, two twelve-pound howitzers—total to the regular army, 11,914.

As the Springfield armory was the chief source of reliance, it will be seen how utterly inadequate the supply was to the demand. The deficit was made up by the purchase of all arms manufactured by the several extensive private factories of Colt's arms, the Ames' rifle works, &c. Agents were also dispatched to Europe, and by July 1st large importations of Enfield rifles and Belgian arms began to flow in.



Siegel After Price.

eight hundred "State Guards" and Secessionists

enlisted in that vicinity. The presence there, at that early day, of the General, proves that his "illness" at Booneville, if it did prevent his sharing the honors of that fight, was not serious enough to retard his rapid transit to the south. Siegel, arriving at Mount Vernon, pressed on to Neosho, June 30th, hoping to engage and destroy Price's command, then to turn and crowd Jackson and his General commanding, Parsons, back upon Lyon's advance. This dashing movement failed—the valiant Price again having taken the alarm and fled toward Maysville. Siegel then turned his face to the north in quest of Jackson. Ere he could reach the vicinity of Carthage, the entire commands of Rains, Parsons, Slack and Jackson had united at Rupes Creek, (July 4th,) eight miles north of Carthage.

Brigadier-General Sweeny having, in the meantime, reached Springfield, assumed command of the National forces, awaiting the arrival of General Lyon. He ordered Siegel to attack the foe, which he was quite ready to do,\* though fearing for the result owing to the great disparity of numbers. On the morning of July 5th he broke camp near Carthage and started to find the enemy. His force consisted of nine companies of his own (Third) regiment, under command of Lieutenant-Colonel Hassendeubel, Missouri volunteers; seven companies of the Fifth regiment, Colonel Salomon; and eight field pieces under command of Major Backof.

Battle of Carthage

At nine o'clock, on a fine prairie, three miles

beyond Dry Fork Creek, the rebels were discovered at a halt—they, too, having broke camp early on that morning to "find and wipe out the Dutch hirelings," as one of their leading officers afterwards wrote. The enemy's force comprised State troops and volunteers to the number of fifty-five hundred—nearly one half mounted—and a battery of five guns.

"Approaching to within eight hundred yards" wrote one who was present, "Siegel

\* There is some doubt on this point. By some authorities Siegel is said to have acted on his own responsibility entirely. His official report to General Sweeny would seem to indicate as much.

Battle of Carthage.

disposed his forces for attack. The artillery was

allotted: on our left two six-pounders; centre, two six-pounders and two twelve-pounders; two six-pounders on our right. The enemy, occupying the highest ground in the prairie, had in position one six-pounder on the right and left, and in his centre one twelve and two six-pounders. The fight commenced at half-past nine, when large bodies of infantry began to appear. The firing of the enemy was wretched. I have seen much artillery practice, but never saw such bad gunnery before. Their balls and shells went over us, and exploded in the open prairie. At eleven o'clock we had silenced their twelve-pounder and broken their centre so much that disorder was apparent. After the first five shots, the two secession flags which they carried were not shown. They displayed the State flag, which we did not fire at. At about two o'clock the cavalry attempted to outflank us, on both right and left. As we had left our baggage trains three miles in the rear, not anticipating a serious engagement, it was necessary to fall back to prevent their capture. Colonel Siegel then ordered two six-pounders to the rear, and changed his front, two six-pounders on the flanks, and the twelve and six-pounders in the rear, and commenced falling back in a steady and orderly manner, firing as we went. We proceeded, with hardly a word to be heard except the orders of the officers, until we reached our baggage wagons, which had approached with the two companies left in reserve. They were formed (fifty wagons) into a solid square, and surrounded by the infantry and artillery, as before. The retreat was without serious casualty, until we approached the Dry Fork Creek, where the road passes between bluffs on either side. The cavalry of the enemy, eight hundred strong, had concentrated on the opposite side of the creek, to cut us off. Colonel Siegel ordered two more cannon to the right and left oblique in front, and then by a concentrated cross-fire poured in upon them a brisk fire of canister and shrapnell shell. The confusion which ensued was terrific. Horses, both with and without riders, were



Battle of Carthage. galloping and neighing about the plain, and the riders in a perfect panic. We took here two or three prisoners, who, upon being questioned, said their force numbered about five thousand five hundred, and expressed their astonishment at the manner in which our troops behaved."

The retreat upon Carthage was continued. Several brief conflicts occurred at the creek crossings. A stand at Carthage would have been made but for fear of the exhaustion of artillery ammunition, which already was running low. The enemy disputed the passage at the village, when a severe encounter followed, in which the rebels suffered so severely as to prevent them from any further pursuit in that masterly retreat before immensely superior numbers.\* The Federalists fell back upon Sarcoxie. It was a most fortunate escape, indeed, for during the evening of the 5th, and the morning of the 6th, Jackson, Parsons and Rains were joined by Price, Ben McCullough and General Pierce—whose united commands of Texan and Arkansas troops amounted to about five thousand, with heavy reinforcements on the way. This extraordinary conjunction of notable Southern leaders gave promise of desperate work. If defeated, the Secessionists' power in Missouri would be broken effectually; if successful in overcoming Lyon and Sweeny, or in compelling their retreat, the way to Jefferson City and the Government would be opened. Lyon at once comprehended his great danger and moved with all celerity upon Springfield, whither Siegel's little band of heroes also retired by way of Mount Vernon, soon after the affair at Carthage.

The Federal loss on the 5th was thirteen killed and thirty-one wounded—all of which were brought off. The rebel loss was confessed by the prisoners to have been very heavy, but no authentic report has been made. A letter written by Colonel Hughes, commanding the First regiment of the Missouri State Guards, confessed the loss of his own regiment to have been fifteen killed and forty wounded.

Major-General John C. Fremont was ap-

\* See Appendix, page 508, for diagrams and incidents of this retreat.

pointed to the "Department of the West," July 9th, but did not assume an active

Intense Excitement in the State.

command until late in the month. In the meantime, the State was in the throes of an extraordinary excitement. Innumerable conflicts occurred between detached bodies of rebels and Unionists—several of which assumed the magnitude of well performed battles. Proclamations flew around as briskly as new commanders came into the field. Major Sturgis issued one at Clinton, July 4th. The same day General Sweeny promulgated his manifesto at Springfield. General Hurlbur addressed the people of North-eastern Missouri July 15th. Brigadier General Pope, to the people of North Missouri, July 19th. Colonel McNeil suppressed the *State Journal* at St. Louis, July 11th, and a proclamation immediately followed. These documents are chiefly valuable as showing under what orders the various commanding officers acted. All promised protection to citizens, respect for property and State laws, &c., &c., and asserted the purposes of the General Government to be the suppression of all acts of rebellion, violence and treason.

These numerous small engagements embraced the affair at Munroe Station, on the Hannibal and St. Joseph Railway. Colonel Smith, learning of the gathering in the vicinity of a large body of Secessionists under command of General Harris, moved from Palmyra upon that place, July 10th, and thence to Palmyra, where the insurgents were encamped. A sharp fight occurred at that point, when the enemy fell back upon Munroe. A detachment under Colonel Owen (rebel), of mounted men, preceded their retreat and destroyed a large amount of railroad property at the Station. Smith followed to the Station, and, taking possession of the female seminary building, prepared to hold it until a force could reach him sufficient to clear out the enemy. He dispatched a call for help to Quincy, and was soon in a state of siege. His guns, however, kept the would-be assailants at bay, and help arriving in good season, General Harris soon found it too hot for him. Being pressed front and rear he disappeared, leaving seventy-five prisoners

The Affair at Munroe Station.



one gun and a large number of horses in the hands of the Unionists.

Suppression of the Press.

It was for rejoicing over this temporary success of Harris, that the *State Journal* at St. Louis was suppressed by Colonel McNeil. That paper sought to inspire an insurrectionary spirit in St. Louis; its office became the rendezvous of the most violent and dangerous Secessionists; Lyon proceeded, therefore, to suppress it. The excitement in St. Louis, at that period, was intense, and it required all the watchfulness of the military to preserve the peace. As in Baltimore, many leading families were uncompromisingly hostile to the General Government, and secretly labored to perfect organizations which should be ready, at the first propitious moment, to fly to arms in behalf of Governor Jackson's cause. Affairs were managed with great discretion by Colonel McNeil, pending the arrival of Fremont, who lingered in the East to arrange for the stupendous campaign which he had resolved upon prosecuting down the Mississippi valley.

Lyon's Position at Springfield during July.

Lyon reached Springfield July 10th. He was soon followed by Major Sturgis. With these united commands he prepared at once to meet McCullough and his confederates, then menacing Springfield in great force. But, his resources were so utterly inadequate to the task in hand, and affairs at St. Louis so disordered, that he could only await, in the consummation of his work, for the advent of Fremont. Clothed with most absolute authority, it was believed that he could give Lyon the men and guns needed to stay the march of the Southern armies upon Jefferson City and St. Louis. How that loyal, spirited soul must have chafed at its prison-bars as day by day rolled away and no help came! Around him were gathered a few trusty souls—a brigade or two of brave fellows who would follow their leader to the death—alas! that they did so!—but, of all the one hundred and eighty thousand men rushing to the field, a mere handful only were turned towards Springfield. There that band of heroes stood during all July, far in the interior, facing a huge army of infuriated and reckless

foes drawn chiefly from the vagabonds of Arkansas, Texas and Missouri; yet, no succor came, and Lyon resolved to strike with his weak ranks rather than to end his brief campaign in dishonor, by retreat—thus opening an easy path to the North for the enemy.

Hearing of the concentration at Forsyth of a rebel force, which formed the

The Expedition against Forsyth.

nucleus of a corps there being enlisted, Lyon dispatched General Sweeny thither to disperse the enemy, break up the rendezvous and to hold the place for further orders. Forsyth is at the head of navigation of White River, about twelve miles north of the Arkansas State line. Sweeny moved from Springfield, July 20th, with two companies of regular cavalry, Captain Stanley; one section of Captain Totten's battery, Lieutenant Solaski; one company of Kansas rangers, Captain Wood; five hundred of the First Iowa, Colonel Merritt; and five hundred of the Kansas Second, Colonel Mitchell. A squad of eighty Home Guards afterwards joined the expedition. The vicinity of Forsyth, (fifty miles away from Springfield,) was not reached until the 22d, when the place was occupied. The rebels, who had taken to the bluffs overlooking the town, made a sharp resistance, but the cavalry and rangers soon turned them out of their covert by dashing charges and flank movements. The artillery flung a shell or two into the Court House, but was not called into further requisition. The expedition resulted only in scattering the foe, to gather at some other point.

After the battle at Carthage the rebel chiefs possessed themselves of all the points surrounding Springfield. Ben McCullough assumed the chief direction of their movements—Governor Jackson having retired towards New Madrid for an easy escape into the Confederate States in event of disaster to his cause, while Price traveled nervously and ceaselessly through the central and northern portions of the State (generally in secrecy), to arouse and organize the secession elements. The bubbling and seething of the cauldron was owing primarily to the almost ubiquitous presence of that emissary of the rebellion. The labors of the State Convention—which convened July 20th, to take



action in the matter of a restoration of the Government by the election of State (provisional) officers—gave Price and Jackson great cause for uneasiness, being largely composed of Unionists. The Governor and his emissary struggled desperately to arouse the revolutionary element so far as to render any action of the Convention nugatory. They struggled in vain, however; for the Convention soon restored the Government, and its authority was respected by the great majority of the people. (The proceedings of the Convention are referred to hereafter.)

Federals Advance to  
Meet McCullough.

Learning that McCullough was closing his lines around Springfield and advancing in two columns by way of Cassville on the south and Sarcoxie on the west, Lyon determined not to await but to assail. The column moving up from Cassville was reported as being fifteen thousand. It was composed of the combined commands of McCullough, Price, McBride and Pearce—all of which moved out of Cassville on the morning of the 1st, taking the direct road to Springfield. To meet and crush this body the Federal commander called into requisition almost his entire force—leaving at Springfield but a guard. This force, as it rendezvoused at Crane Creek, ten miles south of Springfield, on the night of August 1st, consisted of five companies of the First and Second regulars, Major Sturgis; five companies of the First Missouri volunteers, Lieutenant-Colonel Andrews; two companies Second Missouri volunteers, Major Osterhaus; three companies Third Missouri volunteers, Colonel Siegel; the Fifth regiment Missouri volunteers, Colonel Salomon; the First regiment Iowa volunteers, Colonel Bates; the First Kansas volunteers, Colonel Deitzler; the Second Kansas volunteers, Colonel Mitchell; two companies of regular cavalry, Captains Stanley and Carr; three companies cavalry (recruits), Lieutenant Lathrop; Captain Totten's (regular) battery of six guns—six and twelve-pounders; Lieutenant DuBois' battery (regular) of four guns—six and twelve-pounders; Captain Shaeffers' battery (Missouri volunteer artillery) of six guns—six and twelve-pounders:—amounting, all told,

to about fifty-five hundred foot, four hundred and fifty cavalry and eighteen guns.

With this solidly compacted and reliable force the march was resumed

Battle of Dug  
Springs.

early Friday morning, August 2d, taking the direct road to Dug Springs valley, which the enemy were expected to pass. Arriving at that locality, the presence of a heavy column of the rebels was indicated by dense clouds of dust arising from the hills opposite. The Federal army was then drawn up for battle, and a battalion of skirmishers thrown forward with the hope of drawing the enemy out. Much manoeuvring failed to produce this desired result, when Lyon ordered the entire column to fall back as if in retreat. This succeeded. The rebels pressed forward to cut off Captain Steele's company of infantry, (regulars,) and Captain Stanley's company of cavalry, left as a decoy. This detachment comprised about five hundred infantry. These were allowed to come within close rifle distance, when fire was opened on them with effect, creating disorder in their ranks. An enthusiastic sub-officer of the Federal infantry cried "charge!" when forward rushed about thirty of the regulars. The cavalry, astonished at this reckless dash, could but support it, and flung themselves upon the enemy. Thunderstruck and broken by this crushing onslaught, they soon scattered in utter disorder. Supports then came up from both sides. Totten's guns were quickly in place. The enemy's advance now consisted of a large body of cavalry. Into their ranks shells from the battery were dropped with perfect precision, and soon the entire force was in rapid flight. This was all of the battle of Dug Springs.

McCullough's advance brigade engaged fell back toward Curran, whither

Advance to Curran  
and return to  
Springfield.

Lyon followed on the morning of August 3d, occupying Curran on that day. After tarrying there a day, and finding that the entire rebel column had deflected and moved off toward Sarcoxie to make a junction with the second column and strike Springfield from the west, Lyon retraced his march, reaching his old camps at Springfield on the 6th—the troops having suffered greatly from



heat and want of water. The loss of the Federals in the entire expedition was three killed, two deaths from heat, and eight wounded. The rebel loss could not be ascertained, though it is known to have been quite serious. That cavalry dash sent many a poor wretch to his last account. Their wounded, it was ascertained, numbered forty.

The enemy, under the chief command of Price, advanced slowly but in full strength toward Springfield, arriving at Wilson's Creek, ten miles south of Springfield, on the 7th. Knowing that his only hope lay in obtaining some advantage over the opposing host—numbering, as it did, fully twenty thousand men—Lyon studied a surprise and arranged for a night attack on the 7th, but, midnight was so far past when all was in readiness for moving, that an attack was deferred. The enterprise was, however, again attempted. On the night of the

The Advance for the  
Night Attack.

9th the entire Federal force marched out from Springfield and the adjoining camps, in two columns—one commanded by Lyon, the other by Siegel. Lyon was to advance and assault by the front, while Siegel should pass the enemy's camps to the east, and, falling upon them, cut through their right while Lyon drove through their centre.

The enemy, also, had resolved upon a night advance from Wilson's Creek camp, upon Springfield, hoping to surround it, and, by day-break, to close in upon Lyon so as to prevent his escape to Rolla. Every disposition was made for the movement—the men were under arms, with orders to march, by four columns, at nine o'clock P. M. Price, for some unexplained reason, having passed over the chief command to McCullough, the latter ordered the expedition to be given up, late at night, as the darkness was intense and a storm threatened. Lyon was not intimidated by the darkness—it rather was favorable, as it covered his passage and general disposition from the observation of pickets and scouts.

Price, in his report of the conflict, said :

Price's Report.

"About six o'clock I received a messenger from General Rains, that the enemy were advancing in great force, from the direction of Springfield, and were

already within three hundred yards of the position where he was encamped with the Second Division, consisting of about twelve hundred men, under Colonel Crawford. A second messenger came immediately afterward from General Rains to announce that the enemy's main body was upon him, but that he would endeavor to hold him in check until he could receive reenforcements. General McCullough was with me when these messengers came, and left at once for his own head-quarters, to make the necessary disposition of our forces.

"I rode forward instantly towards General Rains' position, ordering Generals Slack, McBride, Clark and Parsons to move their infantry and artillery forward. I had ridden but a few hundred yards, when I came suddenly upon the main body of the enemy, commanded by General Lyon in person. The infantry and artillery which I had ordered to follow me, came up immediately, to the number of 2,036 men, and engaged the enemy. A severe and bloody conflict ensued; my officers and men behaving with the greatest bravery, and, with the assistance of a portion of the Confederate forces, successfully holding the enemy in check.

"Meanwhile, and almost simultaneously with the opening of the enemy's batteries in this quarter, a heavy cannonading was opened on the rear of our position, where a large body of the enemy, under Colonel Siegel, had taken position, in close proximity to Colonel Churchill's regiment, Colonel Greer's Texan Rangers, and six hundred and seventy-nine mounted Missourians, under command of Lieutenant-Colonels Major and Brown.

"The action now became general, and was conducted with the greatest gallantry and vigor on both sides, for more than five hours, when the enemy retreated in great confusion, leaving their Commander-in-Chief, General Lyon, dead upon the battle-field, over five hundred killed and a great number wounded. The forces under my command have also a large number of prisoners."

This brief report is the rebel view of that bloody and most notable conflict. While it was the most stubborn affair, up to that moment of the war, the field was so written over with gallant deeds and inflexible purpose as to render its story one of unusual interest.

An eye-witness wrote: "About eight o'clock on the evening of the 9th, General Siegel, with his own and Colonel Salomon's command and six pieces of artillery, moved southward, marching until nearly two o'clock, and passing around the extreme camp of the enemy, where he halted, thirteen miles from town, and on the south side of the rebels,



The Advance for the  
Night Attack.

ready to move forward and begin the attack as soon as he should hear the roar of General Lyon's artillery. The main body of troops under General Lyon moved from the city about the same hour, halted a short time five miles west of the city, thence in a south-westerly direction four miles, where we halted and slept till four A. M., Saturday, the day of the battle. \* \* It was now five o'clock. The enemy's pickets were driven in; the northern end of the valley in which they were encamped was visible, with its thousands of tents and its camp-fires; the sky was cloudy, but not threatening, and the most terribly destructive of battles, compared with the number engaged, was at hand. Our army moved now toward the south-west, to leave the creek and a spring which empties in it on our left. Passing over a spur of high land which lies at the north end of the valley, they entered a valley and began to ascend a hill, moderately covered with trees and underwood, which was not, however, dense enough to be any impediment to the artillery. \* \* Meanwhile the opposite hill had been stormed and taken by the gallant Missouri First, and Osterhaus' battalion and Totten's battery of six pieces had taken position on its summit and north side, and was belching forth its loud-mouthed thunder much to the distraction of the opposing force, who had already been started upon a full retreat by the thick-raining bullets of Colonel Blair's boys. Lieutenant DuBois' battery, four pieces, had also opened on the eastern slope, firing upon a force which was retreating toward the south-east on a road leading up the hill, which juts into the south-western angle of the creek, and upon a battery placed near by to cover their retreat. \* \* Having driven a regiment of the enemy from one hill, the Missouri volunteers encountered, in the valley beyond, another fresh and finely equipped regiment of Louisianians, whom, after a bitter fight of forty-five minutes, they drove back and scattered, assisted by Captain Lothrop and his regular rifle recruits. Totten and DuBois were, meanwhile, firing upon the enemy forming in the south-west angle of the valley, and upon their batteries on the opposite hill.

Battle of  
Wilson's Creek.

"The undaunted First, with ranks already thinned, again moved forward up the second hill, just on the brow of which they met still another fresh regiment, which poured a terrible volley of musketry into their diminished numbers. Never yielding an inch, they gradually crowded their opposers backward, still backward, losing many of their own men, killed and wounded, but covering the ground thick with the retreating foe. Lieutenant-Colonel Andrews, already wounded, still kept his position, urging the men onward by every argument in his power. Lieutenant Murphy, when they once halted, wavering, stepped several paces forward, waving his sword in the air, and called successfully upon his men to follow him. Every Captain and Lieutenant did his duty nobly, and when they were recalled and replaced by the fresh Iowa and Kansas troops, many were the faces covered with powder and dripping with blood. Captain Gratz, gallantly urging his men forward against tremendous odds, fell mortally wounded, and died soon after. Lieutenant Brown calling upon his men to 'come forward,' fell with a severe scalp wound. Captain Cole of the Missouri First had his lower jaw shattered by a bullet, but kept his place until the regiment was ordered to retire to give place to the First Iowa and some Kansas troops.

"Just then General Green's Tennessee regiment of cavalry, bearing a secession flag, charged down the western slope near the rear upon a few companies of the Kansas Second who were guarding the ambulance wagons and wounded, and had nearly overpowered them, when one of Totten's howitzers was turned in that direction, and a few rounds of canister effectually dispersed them. The roar of the distant and near artillery now grew terrific. On all sides it was one continuous boom, while the music of the musket and rifle balls flying like an aggravated swarm of bees around one's ears was actually pleasant, compared with the tremendous whiz of a cannon ball or the bursting of a shell in close proximity to one's dignity.

"Up to this time General Lyon had received two wounds, and had his fine dappled grey shot under him, which is sufficient evidence that he had sought no place of safety





MAJOR GENERAL WILLIAM B. FRANKLIN.

CHARGE OF JUNE 20, 1862.







PLAN OF THE BATTLE OF WILSON'S CREEK.

Drawn on the field, by a participant in the conflict.



- A, Captain Totten's Battery.
- B, Section of do.
- C, Dubois' Battery.
- D, Cornfield, scene of first conflict.
- E, Log House, do.
- F, Ambulances, Federal,
- G, Second Missouri regiment.
- H, Second Kansas do.
- I, Spot where Lyon fell.
- K, K, K, Rebel batteries.
- L, Captain Steele's battalion.
- M, Captain Plummer's do.
- N, Home Guards, mounted.

- O, Kansas Rangers, mounted.
- P, Position first obtained by Siegel.
- Q, A portion of the enemy's train.
- R, Rebel battery, masked.
- S, Little York village.
- T, Town of Springfield.
- U, Fayetteville road.
- V, The enemy's cavalry.
- W, Third and Fifth Missouri. •Siegel's brigade.
- X, Price's command.
- Y, McCullough's headquarters.
- Z, Rains' headquarters.
- Δ Enemy's camp.



Battle of Wilson's  
Creek.

for himself while he placed his men in danger. Indeed he had already unwisely exposed himself. Seeing blood upon his hat, I inquired, "General, are you badly hurt?" to which he replied, "I think not seriously." He had mounted another horse, and was as busily engaged as ever.

"The Iowa First, under Lieutenant-Colonel Merritt, and part of the Kansas troops were ordered forward to take the place of the Missouris. They fought like tigers, stood firm as trees, and saved us from utter and overwhelming defeat. General Lyon saw their indomitable perseverance and bravery, and with almost his last breath praised their behavior in glowing terms. Three companies of the Iowans were placed in ambush by Captain Granger, of the regulars. Lying down close to the brow of the hill, they waited for another attempt of the enemy to retake their position. On they came, in overwhelming numbers. Not a breath was heard among the Iowans, till their enemies came within thirty-five or forty feet, when they poured the contents of their Minnie muskets into the enemy, and routed them, though suffering terribly themselves at the same time. Two Kansas companies afterward did the same thing on the eastern slope, and repulsed a vigorous attack of the enemy.

"Lyon now desired the men to prepare to make a bayonet charge immediately after delivering their next fire. The Iowans at once offered to go, and asked for a leader. On came the enemy. No time could be lost to select a leader. "I will lead you," exclaimed Lyon. "Come on, brave men." He had about placed himself in the van of the Iowans, while General Sweeney took a similar position to lead on a portion of the Kansas troop, when the enemy came only near enough to discharge their pieces, and retired before the destructive fire of our men. Before the galling fire from the enemy, the brave General Lyon fell.

"The command now devolved upon Major Sturgis. There was no certainty that Siegel had been engaged in the fight at all, as our artillery had kept up such a constant roar that guns three miles distant were but little

noticed. Under these circumstances, Major Sturgis had about determined to

cross his command through the valley (the recent northern camp of the enemy) eastward and, if possible, make a junction with Siegel or or near the Fayetteville road. Before he had time to give the necessary orders, another attack from the enemy was announced by the volleys of musketry which were heard on our right. Major Sturgis directed his attention that way, and the enemy were again repulsed.

"Captain Totten then reported his cannon ammunition nearly gone. This decided the course to be pursued, and Major Sturgis at once sent the ambulances towards the city, and Lieutenant DuBois' battery back to the hill at the north end of the valley, to protect the retreat. Then, in good order, the remnant of the bravest body of soldiers in the United States commenced a retreat, even while they were victorious in battle.

"Siegel was experiencing the fortunes of a reverse on the East. He had advanced so rapidly as to surprise the enemy, and, by capturing his pickets, was upon them like a whirlwind. They flew before him as he pressed his way toward the Fayetteville road which he reached, and a fine position was secured on a hill. Having heard the firing suddenly cease in the direction of Lyon's forces, he supposed the Federal attack, like his own, to have been successful; and, that Lyon's troops were pursuing the enemy, he deemed conclusive from the large bodies of the rebels moving towards the South. He stated, in his report;

"This was the state of affairs at half-past eight o'clock A. M.,

Siegel's Report.

when it was reported that Lyon's men were coming up the road. Lieutenant Albert, of the Third, and Colonel Salomon, of the Fifth, notified their regiments not to fire on troops coming in that direction whilst I cautioned the artillery in the same manner. Our troops, at this moment, expected with anxiety the approach of our friends, and were waving the flag raised as a signal to their comrades, when once two batteries opened their fire against us—once in front, on the Fayetteville road, and the other upon the hill upon which we had supposed Lyon's forces were in pursuit of the enemy, whilst a strong column of infantry—supposed to be the Iowa reg-



## Siegel's Report.

ment — advanced from the Fayetteville road, and attack-

ed our right.

"It is impossible for me to describe the consternation and frightful confusion which was occasioned by this important event. The cry, 'They (Lyon's troops) are firing against us!' spread like wildfire through our ranks; the artillerymen, ordered to fire, and directed by myself, could hardly be brought forward to serve their pieces; the infantry would not load their arms until it was too late. The enemy arrived within ten paces of the muzzles of our cannon, killed the horses, turned the flanks of the infantry, and forced them to fly. The troops were throwing themselves into the bushes and by-roads, retreating as well as they could, followed and attacked incessantly by large bodies of Arkansas and Texas cavalry. In this retreat we lost five cannon (of which three were spiked,) and the colors of the Third—the color-bearer having been wounded and his substitute killed. The total loss of the two regiments, the artillery and the pioneers, in killed, wounded and missing, amounts to eight hundred and ninety-two men."

Siegel stated, as the chief cause of the repulse, that four hundred men of the three-months troops, (Colonel Salomon's regiment,) whose term of enlistment had expired, were unwilling to go into the fight, and stampeded at the first opportunity. Their defection and insubordination lost all at the critical moment.

The affair was, notwithstanding these reverses, a drawn battle. The enemy, after their last repulse by Major Sturgis, retired in confusion and prepared to retreat, fearing an advance by our troops—which would have been the case had not the artillery ammunition given out, as reported. The rebels set fire to and consumed a large train of their stores, munitions and camp equipment, to save their capture by the Federals. This alone proves how nearly the battle was won on the right and front. Had Siegel appeared at that opportune moment, the large army of the enemy (confessed to have been twenty-three thousand strong) would have been overwhelmed with defeat by five thousand five hundred Federal troops!

## The Retreat.

The Federal forces, under Major Sturgis, fell back, in good order, towards Springfield—the enemy not pursuing—another proof of their own repulse. After the arrival at Springfield it was determined to fall back

upon Rolla, immediately, since it was evident the

## The Retreat.

enemy would soon cut off retreat in that direction. Siegel took command of the general disposition for the retreat. He was called upon to exercise all his ingenuity to get out of the net now thrown around him by the strong columns of the rebels, who well knew every rood of soil in that section. Preparations were begun for the retreat on the night of the 14th. By daybreak the Federal columns were on the march towards the Gasconade. A correspondent, on the evening of the 10th, wrote: "With a baggage train five miles long to protect, it will be singular, indeed, if the enemy does not prove enterprising enough to cut off a portion of it, having such a heavy force of cavalry." But, the retreat was safely effected, and the vicinity of Rolla was reached Saturday, August 19th. There the three-months men were disposed for disbandment, and the gallant Iowa First was sent forward immediately to St. Louis to be mustered out of service—its term having also expired.

The official reports of the Federal losses showed

## The Losses.

them to be as follows: killed, two hundred and twenty-three; wounded, seven hundred and twenty-one; missing, two hundred and ninety-two. Of the wounded, two hundred and eight were of the First Missouri; one hundred and eighty-one of the First Kansas, and one hundred and thirty-eight of the First Iowa volunteers; proving how obstinately these regiments must have fought. It is a record of blood, but also one of honor. Well did the troops win the right to have "Springfield" blazoned on their banners!

The rebel loss was equally great. Price confessed his own division of five thousand two hundred and twenty-one officers and men to have suffered to the extent of one hundred and fifty-six killed, five hundred and seventeen wounded. In this proportion for the other divisions the killed and wounded would reach a sum greater than that of the Federalists. Ben McCullough in his official report stated their entire loss to have been two hundred and sixty-five killed and eight hundred wounded. There is good reason for believing these figures to be greatly



smaller than were confirmed by the surgeon and regimental returns. McCullough's statistics never were regarded as worthy of much credence where his own vanity or personal importance was concerned.

This disaster was followed by an inroad of the enemy, as Lyon foresaw, which soon gave them possession of that portion of the State. It cost much blood and treasure, and many months of hard campaigning to dislodge them. Had Lyon been reenforced all would have been well. Even two or three fresh regiments of infantry and one of cavalry would have filled up the ranks of the retiring three-months men, and have afforded forces enough to have kept the enemy at bay until Fremont could come on in force. The loss of Springfield inflicted untold suffering upon the Unionists of that section. It was a disaster for which the country did not cease to hold Fremont responsible, although the General urged the strong plea that what men he had were totally unfit for the field from want of arms, transportation, &c.

Price, immediately after the retreat, moved his entire forces into Springfield, from whence he issued the following highly characteristic proclamation to the people of Missouri:

*"Fellow-Citizens:*

"The army under my command has been organized under the laws of the State for the protection of your homes and firesides, and for the maintenance of the rights, dignity, and honor of Missouri. It is kept in the field for these purposes alone, and to aid in accomplishing them our gallant Southern brethren have come into our State.

"We have just achieved a glorious victory over the foe, and scattered far and wide the appointed army which the usurper at Washington has been more than six months gathering for your subjugation and enslavement. This victory frees a large portion of the State from the power of the invaders, and restores it to the protection of its army. It consequently becomes my duty to assure you that it is my firm determination to protect every peaceable and law-abiding citizen in the full enjoyment of all his rights, whatever may have been his sympathies in the present unhappy struggle, if he has not taken an active part in the cruel warfare which has been waged against the good people of this State by the ruthless enemies whom we have just defeated. I therefore invite all good citizens to return to their homes and the practice of their or-

dinary avocation, with the full assurance that they, their families, their homes, and their property shall be carefully protected.

"I at the same time warn all evil-disposed persons who may support the usurpations of any one claiming to be provisional or temporary Governor of Missouri, or who shall in any other way give aid or comfort to the enemy, that they will be held as enemies and treated accordingly.

"(Signed) STERLING PRICE,  
"Major-General Commanding  
"Missouri State Guard."

This had the effect to throw into his ranks a large number of those people in the southwestern portion of the State who awaited the result of this conflict before determining their allegiance. It also forced acquiescence from all settlers who did not flee with the Federal army; but, even that acquiescence did not protect their farms from devastation by the hordes of veritable vagabonds of which the invading army was largely composed. It is certain that the army brought by McCullough into Missouri was composed almost exclusively of Texan and Arkansas Rangers—men as wild as Indians and as ferocious as hyenas. They never, in all their service in the Confederate ranks, were brought under subjugation to discipline. The "border ruffians" who also gathered around Price were but little better. It was of such elements that the armies of Price, Van Dorn, McCullough and Rains were afterwards in a great degree composed.

The State Convention according to call of the Committee, assembled at Jefferson City, July 20th, to provide for the reorganization of the State Executive pending a regular election of State officers. The Convention, as elected early in the year, was composed of secessionists and loyalists—the latter in the majority. Its proceedings were of course accompanied with much excitement, and the presence at the Capitol of a strong guard was deemed necessary to prevent a descent on, and the seizure of, the delegates by the revolutionists, whose secret and open organizations were everywhere. It is said a well-perfected plan of uprising had been arranged by Price, which was only frustrated by the presence, throughout the surrounding country, and within calling distance, of sever-

Assemblage of the  
State Convention.



al Federal regiments, whose retention, though it weakened Lyon, was deemed of vital necessity for the safety of the Government.

The Resolutions of  
State Reorganization.

July 30th, the Convention adopted its report, covering the entire ground of a loyal reorganization and an anti-secession procedure. The features of the several resolutions adopted, were:

"1. Declares the offices of Governor, Lieutenant-Governor, Secretary of State, and members of the Legislature, as heretofore recognized, vacant.

"2. That a Governor, Lieutenant-Governor and Secretary of State shall be appointed by the Convention to hold these offices until the first Monday in November next.

"3. That on that day a Governor, Lieutenant-Governor and Secretary of State and members of the Legislature shall be chosen, and the precise manner of election is set forth.

"4. That certain laws passed at the last session of the Legislature, referring to the organization of the militia; to raising money to arm the State to repel invasion, and to protect the lives and property of the people of the State; to suspend the apportionment of the school fund, and other less important laws, are repealed, and declared to have no validity whatever. That all commissions under any of such laws are repealed and annulled, and all soldiers and other persons are disbanded and discharged. That certain other laws for the organization of the volunteers are revived and declared to be in force, and under this law (December 31, 1850) volunteer forces may be enrolled—such act being declared to have full force and effect.

"5. That at the election for Governor, and other officers, on the first Monday of November next, polls shall be opened, and the people shall vote for the action of the Convention, or against the action of the Convention; and if a majority of the legal voters shall vote in favor of the amendment of the Constitution, then the officers before referred to shall hold their offices as provided in this ordinance; but if a majority be against such amendments, then the election of State officers shall be null and void, and they shall not take their seats."

These resolutions were adopted by a vote of 56 to 25—the first, only, varying, viz.: 52 to 28.

On the 31st July the Convention elected Judge Hamilton R. Gamble, Governor; Willard P. Hall, Lieutenant-Governor; Mordecai Oliver, Secretary of State. The inauguration took place during the afternoon, after which the Convention adjourned to convene again

on the 3d Monday in December. Before adjourn-

Address to the People.

ment an address to the people was prepared, giving an exposition of affairs and defending its action in legislating for the loyal Government of the State. It was a document of much importance as well as of interest, and served greatly to strengthen the Union sentiment among the people. After recurring to the sad change in the peace of the State, since the adjournment in March, the address proceeded to show what had brought about the state of war then existing within their borders. Governor Jackson was found to be deeply implicated in the conspiracy, as the documents cited by the Address fully proved. As showing how the treacherous and unprincipled few dominated over the many, particularly in the States of Virginia, North Carolina, Tennessee and Arkansas, we may quote, from the Convention's statement, the revelations regarding the conspiracy concocted to carry Missouri over to the Confederacy. Several letters were cited from Governor Jackson—one dated April 19th, to the President of the Arkansas Convention, and another, dated April 28th, to the editor of a secession paper in St. Louis—in both of which he declared for secession, notwithstanding the action of the Convention in March [see pages 29-31]. The Conventionists then say:

"Here we have the fixed mind and purpose of the Governor, that Missouri shall leave the Union. He wants time—a little time to arm the State. He thinks secrecy should be preserved by the parties with whom he acts in keeping their counsels. He suggests that nothing should be said about the time or the manner in which Missouri should go out; manifestly implying that the time and manner of going out, which he and those with whom he acted proposed to adopt, was some other time and manner than such as was to be fixed by the people through their Convention. It was no doubt to be a time and manner to be fixed by the Governor and General Assembly, or by the Governor and a military body to be provided with arms during the little time needed by the Governor for that purpose.

"There have been no specific disclosures made to the public of the details of this plan, but the Governor expresses his strong conviction that at the proper time the State will go out.

"This correspondence of the Governor occurred at a time when there was no interference by soldiers of the United States with any of the citizens, or with



Address to the People. the peace of the State. The event which produced exasperation through the State, the capture of camp Jackson, did not take place until the 10th of May. Yet the evidence is conclusive that there was at the time of this correspondence a secret plan for taking Missouri out of the Union without any assent of the people through their Convention. An address to the people of Missouri was issued by Thomas C. Reynolds, the Lieutenant Governor, in which he declares that in Arkansas, Tennessee and Virginia his efforts have been directed unceasingly, to the best of his limited ability, to the promotion of our interests, indissolubly connected with the vindication of our liberties and our speedy union with the Confederate States. Here is the second executive officer of Missouri avowedly engaged in travelling through States which he must regard, while Missouri continues in the Union, as foreign States, and those States endeavoring, as he says, to promote the interest of our State.

"The mode of promoting our interests is disclosed in another passage of the address, in which he gives the people assurance that the people of the Confederate States, though engaged in a war with a powerful foe, would not hesitate still further to tax their energies and resources at the proper time and on a proper occasion in aid of Missouri. The mode of promoting our interests, then, was by obtaining military aid, and this while Missouri continued in the Union. The result of the joint action of the first and second executive officers of the State has been that a body of the military forces of Arkansas has actually invaded Missouri, to carry out the schemes of our own officer, who ought to have conformed to your will, as you had made it known at elections, and had expressed it by your delegates in Convention.

"Still further to execute the purpose of severing the connection of Missouri with the United States, the General Assembly was called, and when assembled sat in secret session and enacted laws which had for their object the placing in the hands of the Governor large sums of money, to be expended in his discretion for military purposes, and a law for the

organization of a military force, which was to be sustained by extraordinary taxation, and to be absolutely subject to the orders of the Governor, to act against all opposers, including the United States. By these acts schools are closed, and the demands of humanity for the support of lunatics are denied, that the money raised for the purpose of education and benevolence may swell the fund to be expended in war.

"Without referring more particularly to the provisions of these several acts, which are most extraordinary and extremely dangerous as precedents, it is sufficient to say that they display the same purpose to engage in a conflict with the General Government and to break the connection of Missouri with the United States, which had before been manifested by Governor Jackson. The conduct of these officers of the Legislative and Executive Departments has produced evil and dangers of vast magnitude, and your delegates in Convention have addressed themselves to the important and delicate duty of attempting to free the State from these evils.

"The high executive officers have fled from the State, leaving us without the officers to discharge the ordinary necessary executive functions. But, more than this, they are actually engaged in carrying on a war within the State, supported by troops from States in the Southern Confederacy, so that the State, while earnestly desirous to keep out of the war, has become the scene of conflict without any action of the people assuming such hostility. Any remedy for our present evil, to be adequate, must be one which shall vacate the offices held by the officers who have thus brought our troubles upon us."

This is a dark record for the honesty and good faith of those in authority, during April and May; but is it not in perfect keeping with the dishonor and treachery successfully practiced upon the people of Virginia, Tennessee, North Carolina, Texas, and Arkansas by a few base spirits?



CHAPTER V.

THE LAST STRUGGLE IN THE SOUTH AGAINST SECESSION. TENNESSEE'S VOTE, JUNE 8TH. THE GREENVILLE CONVENTION. ITS UNCOMPROMISING UNION ACTION. THE ADDRESS, PROTEST AND RESOLUTIONS. THEIR FUTILITY.

The Vote of June 8th. TENNESSEE, though pressed into the Southern Confederacy by the hand of treason and the bayonets of the insurrectionists, still struggled for a hearing. The vote of June 8th, as proclaimed by Governor Harris in his proclamation of June 24th, was:

	Separation.	No Separation.
East Tennessee,	14,780	32,923
Middle    “	58,265	8,198
West       “	29,127	6,117
Military Camps,	2,741	
	104,913	47,238

Giving a majority for “separation” of fifty-seven thousand six hundred and seventy-five. How this vote was obtained we are well informed. The election in February had resulted in a majority of about sixty thousand [see page 24] *against* calling a Convention to consider an ordinance of secession—showing the Union sentiment to overwhelmingly predominate. Without any further action whatever, with no indication from the people of a change of sentiment, the loyal voters of the State were astounded, on the morning of May 8th, to learn that, on the 6th, their Commonwealth had been transferred to the keeping of the guns of Davis, but that they (the voters) were to be permitted the *unusual* privilege of voting upon the Ordinance of Secession—which was proclaimed on the morning of said May 8th [see pages 152, 153]. That vote having been ordered for June 8th, time was thus allowed for the State to pass under Confederate military rule. When that day came it was equivalent to immediate military arrest in West Tennessee for a man to express

a Union sentiment; in Middle Tennessee it subjected the person to such persecutions as few cared to challenge; in East Tennessee the loyal sentiment was so immensely in the ascendant, through the labors of such men as Andrew Johnson, Judge Nelson, Parson Brownlow, Emerson Etheridge, Horace Maynard, and their fellow-laborers, that the vote polled on the 8th, was over eighteen thousand majority *against* separation.\*

Finding themselves powerless before the tyranny inaugurated, the Unionists of East Tennessee resolved, as a last resort, to hold a Convention at Greenville, to consult as to the best course to pursue. This Convention met June 17th. The attendance was very large—thirty-one counties having delegates present on the first day. Judge Nelson presided. After a four days’ session it adopted a Declaration of Grievances and Resolutions which, emanating from a body composed of enlightened and substantial Southern men, deserve particular consideration. Occupying a position in the physical centre

The vote of June 8th.

The Union Convention at Greenville.

\* Brownlow, in his “Experiences among the Rebels,” says: “For Separation and Representation at Richmond, East Tennessee gave fourteen thousand and seven hundred votes. *One half of that number were rebel troops, having no authority under the Constitution to vote at any election.* For No Separation and No Representation, East Tennessee gave thirty-three thousand straight-out *Union* votes, with at least five thousand quiet citizens deterred from coming out by threats of violence and by the presence of drunken troops at the polls to insult them.”



of the Union's area; originally settled almost exclusively by citizens of the Slave States adjoining, (Virginia and North Carolina); allied to the Southern States by sympathy with "Southern Institutions" as well as by commercial relations; intelligent, law-abiding and conservative, East Tennessee, it may be presumed, represented the voice of an arbiter, whose decision and views history will sustain. We quote from the Declaration such sentences and sentiments as seem to demand repetition:

Declaration of Grievances.

"We, the people of East Tennessee, again assembled in a Convention of our delegates, make the following declaration in addition to that heretofore promulgated by us at Knoxville, on the 30th and 31st days of May last: So far as we can learn, the election held in this State on the 8th day of the present month was free, with but few exceptions, in no part of the State, other than in East Tennessee. In the larger parts of Middle and West Tennessee no speeches or discussions in favor of the Union were permitted. Union papers were not allowed to circulate. Measures were taken in some parts of West Tennessee, in defiance of the Constitution and laws, which allow folded tickets, to have the ballot numbered in such manner as to mark and expose the Union votes. A disunion paper, the *Nashville Gazette*, in urging the people to vote an open ticket, declared that 'a thief takes a pocket-book or effects an entrance into forbidden places by stealthy means—a tory, in voting, usually adopts pretty much the same course of procedure.' Disunionists, in many places, had charge of the polls, and Union men, when voting, were denounced as Lincolnites and Abolitionists. The unanimity of the votes in many large counties, where, but a few weeks ago, the Union sentiment was so strong, proves beyond doubt that Union men were overawed by the tyranny of the military power and the still greater tyranny of a corrupt and subsidized press. \* \* \* Volunteers were allowed to vote in and out of the State, in flagrant violation of the Constitution. From the moment the election was over, and before any detailed statement of the vote in the different counties had been published, and before it was possible to ascertain the result, it was exultingly proclaimed that separation had been carried by from fifty to seventy thousand votes. This was to prepare the public mind to enable 'the Secessionists to hold possession of the State though they should be in a minority.' The final result is to be announced by a disunion Governor, whose existence depends upon the success of secession, and no

provision is made by law for an examination of the vote by disinterested persons, or even

Declaration of Grievances.

for contesting the election. For these and other causes, we do not regard the result of the election as expressive of the will of a majority of the freemen of Tennessee. \* \* The Union men of East Tennessee, anxious to be neutral in the contest, were content to enjoy their own opinions and to allow the utmost latitude of opinion and action to those who differed from them. Had the same toleration prevailed in other parts of the State, we have no doubt that a majority of our people would have voted to remain in the Union. But, if this view is erroneous, we have the same—and, as we think, a much better—right to remain in the Government of the United States than the other divisions of Tennessee have to secede from it."

Thus far in regard to the character of that "election"—*the second instance, in all the Seceded States, in which an Ordinance of Secession was submitted to the people for their acceptance or rejection!*\* The Declaration then proceeded to give the Convention's views of National obligations and relations, and to express its opinion of the secession movement. We may quote:

"We prefer to remain attached to the Government of our fathers. The Constitution of the United States has done us no wrong. The Congress of the United States has passed no law to oppress us. The President of the United States has made no threats against the law-abiding people of Tennessee. Under the Government of the United States we have enjoyed, as a nation, more of civil and religious freedom than any other people under the whole heaven. We believe there is no cause for rebellion or secession on the part of the people of Tennessee. None was assigned by the Legislature in their miscalled Declaration of Independence. No adequate cause can be assigned. The Select Committee of that body asserted a gross and inexcusable falsehood in the address to the people of Tennessee when they declared that the Government of the United States had made war upon them.

"The secession cause has thus far been sustained by deception and falsehood: by falsehood as to the action of Congress; by false dispatches as to battle

\* The Virginia vote of May 23d, 1861, was taken under like circumstances; the hordes of the Confederacy being everywhere in Eastern Virginia, prick with the bayonet any man presumptuous enough to entertain Union sentiments. We do not name the vote *allowed* in Texas: it was a mockery too base to be called a vote.



that were never fought and victories that were never won; by false accounts as to the purposes of the President; by false representations as to the views of Union men, and by false pretenses as to the facility with which the secession troops would take possession of the Capital and capture the highest officers of the Government. The cause of secession or rebellion has no charms for us, and its progress has been marked by the most alarming and dangerous attacks upon the public liberty. In other States, as well as our own, its whole course threatens to annihilate the last vestige of freedom. While peace and prosperity have blessed us in the Government of the United States, the following may be enumerated as some of the fruits of secession:

Declaration of  
Grievances.

"It was urged forward by members of Congress who were sworn to support the

Constitution of the United States, and were themselves supported by the Government.

"It was effected without consultation with all the States interested in the slavery question, and without exhausting peaceable remedies.

"It has plunged the country into civil war, paralyzed our commerce, interfered with the whole trade and business of our country, lessened the value of our property, destroyed many of the pursuits of life, and bids fair to involve the whole nation in irretrievable bankruptcy and ruin.

"It has changed the entire relations of States, and adopted Constitutions without submitting them to a vote of the people, and where such a vote has been authorized, it has been upon the condition prescribed by Senator Mason, of Virginia, that those who voted the Union ticket 'must leave the State.'

"It has advocated a constitutional monarchy, a king and a dictator, and is, through the Richmond press, at this moment recommending to the Convention in Virginia a restriction of the right of suffrage, and in severing connection with the Yankees, to abolish every vestige of resemblance to the institutions of that detested race.'

"It has formed military leagues, passed military bills, and opened the door for oppressive taxation, without consulting the people; and then, in mockery of a free election, has required them by their votes to sanction its usurpations, under the penalties of moral proscription or at the point of the bayonet.

"It has offered a premium for crime in directing the discharge of volunteers from criminal prosecutions, and in recommending the Judges not to hold their courts.

"It has stained our statute book with the repudiation of Northern debts, and has greatly violated the Constitution by attempting, through its unlawful extension, to destroy the right of suffrage.

"It has called upon the people in the State of Georgia, and may soon require the people of

Declaration of Grievances.

Tennessee, to contribute all their surplus cotton, wheat, corn, bacon, beef, &c., to the support of pretended governments alike destitute of money and credit.

"It has attempted to destroy the accountability of public servants to the people by secret legislation, and set the obligation of an oath at defiance.

"It has passed laws declaring it treason to say or do anything in favor of the Government of the United States, or against the Confederate States, and such a law is now before, and we apprehend will soon be passed by, the Legislature of Tennessee.

"It has attempted to destroy, and we fear will soon utterly prostrate the freedom of speech and of the press.

"It has involved the Southern States in a war whose success is hopeless, and which must ultimately lead to the ruin of the people.

"Its bigoted, overbearing and intolerant spirit has already subjected the people of East Tennessee to many petty grievances: our people have been insulted; our flags have been fired upon and torn down; our houses have been rudely entered; our families subjected to insult; our peaceable meetings interrupted; our women and children shot at by a merciless soldiery; our towns pillaged; our citizens robbed, and some of them assassinated and murdered.

"No effort has been spared to deter the Union men of East Tennessee from the expression of their free thoughts. The penalties of treason have been threatened against them, and murder and assassination have been openly encouraged by leading secession journals.

"As secession has been thus overbearing and intolerant while in the minority in East Tennessee, nothing better can be expected of the pretended majority than wild, unconstitutional and oppressive legislation; an utter contempt and disregard of law; a determination to force every Union man in the State to swear to the support of a Constitution he abhors; to yield his money and property to aid a cause he detests, and to become the object of scorn and derision as well as the victim of intolerable and relentless oppression."

In view of these considerations, and of the fact that the people of East Tennessee had declared their fidelity to the Union by a *majority* of nearly twenty thousand votes, the Convention resolved and declared their wishes and purposes as follows:

"1. That we do earnestly desire the restoration of peace to our whole country, and most especially



The Resolutions. that our own section of the State of Tennessee should not be involved in civil war.

"2. That the action of our State Legislature in passing the so-called 'Declaration of Independence' and in forming the 'Military League' with the Confederate States, and in adopting other acts looking to a separation of the State of Tennessee from the Government of the United States, is unconstitutional and illegal, and therefore not binding upon us as loyal citizens.

"3. That in order to avert a conflict with our brethren in other parts of the State, and desiring that all constitutional means shall be resorted to for the preservation of peace, we do, therefore, constitute and appoint O. P. Temple, of Knox, John Netherland, of Hawkins, and James P. McDowell, of Greene, commissioners, whose duty it shall be to prepare a memorial and cause the same to be presented to the General Assembly of Tennessee, now in session, asking its consent that the counties composing East Tennessee, and such counties in Middle Tennessee as desire to co-operate with them, may form and erect a separate State.

"4. Desiring, in good faith, that the General Assembly will grant this our reasonable request, and still claiming the right to determine our own destiny, we do further resolve that an election be held in all the counties of East Tennessee, and in such other counties in Middle Tennessee adjacent thereto as may desire to co-operate with us, for the choice of delegates to represent them in a General Convention, to be held in the town of Kingston at such time as the President of this Convention, or, in case of his absence or inability, any one of the Vice-Presidents, or, in like case with them, the Secretary of this Convention may designate; and the officer so designating the day for the assembling of said Convention shall also fix the time for holding the election herein provided for, and give reasonable notice thereof.

"5. In order to carry out the foregoing resolution, the sheriffs of the different counties are hereby

requested to open and hold said election, or cause the

same to be so held, in the usual manner and at the usual places of voting, as prescribed by law, and in the event the sheriff of any county should fail or refuse to open and hold said election, or cause the same to be done, the coroner of such county is requested to do so, and should such coroner fail or refuse, then any constable of such county is hereby authorized to open and hold said election, or cause the same to be held. And if in any county none of the above-named officers will hold said election then any Justice of the Peace or freeholder in such county is authorized to hold the same, or cause it to be done. The officer or other person holding said election shall certify the result to the President of this Convention, or to such officer as may have directed the same to be holden, at as early a date thereafter as practicable; and the officer to whom said returns may be made, shall open and compare the polls and issue certificates to the delegates elected."

Vain protest! It was not long before those Unionists

and protestants against wrong were flying for their lives, and were hunted down like wild beasts. The leaders disappeared from observation, and the people could only acquiesce in a state of affairs which, in the presence of the armed minions of the Southern Confederacy, they were powerless to prevent. Exiled, outlawed, scourged, imprisoned, consigned to the gallows in companies, the story of East Tennessee is written in tears and blood; and if all other records of the wrong and outrage perpetrated by the Confederacy on Southern citizens were blotted out, the persecutions inflicted upon loyal men in Tennessee would suffice to consign the memory of the secession movement and its leaders to eternal infamy.

Alas that deliverance was so long delayed

The Resolutions.

The Closing Scene.



## CHAPTER VI.

MEETING OF THE CONFEDERATE CONGRESS AT RICHMOND. THE PRESIDENT'S MESSAGE. IMPORTANT DOCUMENTS LAID BEFORE THE CONGRESS. THE MISSION OF COLONEL TAYLOR TO WASHINGTON. OPERATIONS OF SOUTHERN AGENTS IN EUROPE. ACT OF CONGRESS SEQUESTERING THE PROPERTY OF ALIENS. GENERAL VIEW OF AFFAIRS IN THE SOUTH DURING JULY AND AUGUST.

THE adjourned session of the Confederate Congress was resumed at Richmond July 20th, when Jefferson Davis laid before the assembled members important documents. His Message—forming, as it does, an important link in the chain of history of the Rebellion—we give at length :

*Gentlemen of the Congress of the Confederate States of America :*

"My message addressed to you at the commencement of the last session contained such full information of the state of the Confederacy as to render it unnecessary that I should now do more than call your attention to such important facts as have occurred during the recess, and the matters connected with the public defense.

"I have again to congratulate you on the accession of new members to our Confederation of free and equally sovereign States. Our loved and honored brethren of North Carolina and Tennessee have consummated the action foreseen and provided for at your last session, and I have had the gratification of announcing, by proclamation, in conformity with law, that these States were admitted into the Confederacy. The people of Virginia, also, by a majority previously unknown in our history, have ratified the action of her Convention uniting her fortunes with ours. The States of Arkansas, North Carolina and Virginia have likewise adopted the permanent Constitution of the Confederate States, and no doubt entertained of its adoption by Tennessee, at the election to be held early in next month.

"I deemed it advisable to direct the removal of the several executive departments, with their archives, to this city, to which you have removed the seat of Government. Immediately after your adjournment, the aggressive movements of the enemy required prompt, energetic action. The accumu-

lation of his forces on the Potomac sufficiently demonstrated that his efforts were to be directed against Virginia, and from no point could necessary measures for her defense and protection be so effectively decided, as from her own capital. The rapid progress of events, for the last few weeks, has fully sufficed to lift the veil, behind which the true policy and purposes of the Government of the United States had been previously concealed. Their odious features now stand fully revealed. The message of their President and the action of their Congress during the present month, confess their intention of the subjugation of these States, by a war, by which it is impossible to attain the proposed result, while its dire calamities, not to be avoided by us, will fall with double severity on themselves.

"Commencing in March last, with the affectation of ignoring the secession of seven States, which first organized this Government; persevering in April in the idle and absurd assumption of the existence of a riot, which was to be dispersed by a *posse comitatus*; continuing in successive months the false representation that these States intended an offensive war, in spite of conclusive evidence to the contrary, furnished as well by official action as by the very basis on which this Government is constituted, the President of the United States and his advisers succeeded in deceiving the people of those States into the belief that the purpose of this Government was not peace at home, but conquest abroad; not defense of its own liberties, but subversion of those of the people of the United States. The series of manœuvres by which this impression was created; the art with which they were devised, and the perfidy with which they were executed, were already known to you, but you could scarcely have supposed that they would be openly avowed, and their success made the subject of boast and self-laudation in an executive message. Fortunately for truth and his-

Davis' Message of July 20th, 1861.



Davis' Message. tory, however, the President of the United States details, with minuteness, the attempt to reenforce Fort Pickens, in violation of an armistice of which he confessed to have been informed, but only by rumors; too vague and uncertain to fix the attention of the hostile expedition dispatched to supply Fort Sumter, admitted to have been undertaken with the knowledge that its success was impossible; the sending of a notice to the Governor of South Carolina of his intention to use force to accomplish his object; and then quoting from his inaugural address the assurance that 'there could be no conflict unless these States were the aggressors,' he proceeds to declare his conduct, as just related by himself, was the performance of a promise, so free from the power of ingenious sophistry as that the world should not be able to misunderstand it; and in defiance of his own statement that he gave notice of the approach of a hostile fleet, he charges these States with becoming the assailants of the United States, without a gun in sight, or in expectancy, to return their fire, save only a few in the fort. He is, indeed, fully justified in saying that the case is so free from the power of ingenious sophistry that the world will not be able to misunderstand it. Under cover of this unfounded pretense, that the Confederate States are the assailants, that high functionary, after expressing his concern that some foreign nations had so shaped their action as if they supposed the early destruction of the National Union probable, abandons all further disguise, and proposes to make this contest a short and decisive one, by placing at the control of the Government for the work at least four hundred thousand men and four hundred millions of dollars. The Congress, concurring in the doubt thus intimated as to the sufficiency of the force demanded, has increased it to half a million of men.

"These enormous preparations in men and money, for the conduct of the war, on a scale more grand than any which the new world ever witnessed, is a distinct avowal, in the eyes of civilized man, that the United States are engaged in a conflict with a great and powerful nation. They are at last compelled to abandon the pretense of being engaged in dispersing rioters and suppressing insurrections, and are driven to the acknowledgment that the ancient Union has been dissolved. They recognize the separate existence of these Confederate States, by an interdictive embargo and blockade of all commerce between them and the United States, not only by sea, but by land; not only in ships, but in cars; not only with those who bear arms, but with the entire population of the Confederate States. Finally they have repudiated the foolish conceit that

the inhabitants of this Confederacy are still citizens of the United States; for they are waging an indiscriminate war upon them all, with savage ferocity, unknown in modern civilization.

Davis' Message. "In this war, rapine is the rule; private houses in beautiful rural retreats, are bombarded and burnt; grain crops in the field are consumed by the torch, and, when the torch is not convenient, careful labor is bestowed to render complete the destruction of every article of use or ornament remaining in private dwellings after their inhabitants have fled from the outrages of brute soldiery. 1781, Great Britain, when invading the revolted colonies, took possession of every district and county near Fortress Monroe, now occupied by the troops of the United States. The houses then inhabited by the people, after being respected and protected by avowed invaders, are now pillaged and destroyed by men who pretend that Virginians are their fellow citizens. Mankind will shudder at the tales of the outrages committed on defenseless families by soldiers of the United States, now invading our homes; yet these outrages are prompted by inflamed passions and the madness of intoxication. But we shall depict the horror they entertain for the cold and deliberate malignancy which, under the pretense of suppressing insurrection, (said by themselves to be upheld by a minority only of our people,) makes special war on the sick, including children and women, by carefully-devised measures to prevent them from obtaining the medicines necessary for their cure. The sacred claims of humanity, respected even during the fury of actual battle, by careful diversion of attack from hospitals containing wounded enemies, are outraged in cold blood by a Government and people that pretend to desire a continuance of fraternal connections. All these outrages must remain unavenged by the universal reprehension of mankind. In all cases where the actual perpetrators of the wrongs escape capture they admit of no retaliation. The humanity of our people would shrink instinctively from the bare idea of urging a like war upon the sick, the women and the children of an enemy. But there are other savage practices which have been resorted to by the Government of the United States, which do admit of repression by retaliation, and I have been driven to the necessity of enforcing this repression. The prisoners of war taken by the enemy on board the armed schooner *Savannah* sailing under our commission, were, as I was credibly advised, treated like common felons, put in irons, confined in a jail usually appropriated to criminals of the worst dye, and threatened with punishment as such. I had made applica-



Davis' Message.

tion for the exchange of these prisoners to the commanding officer of the enemy's squadron off Charleston, but that officer had already sent the prisoners to New York when application was made. I therefore deemed it my duty to renew the proposal for the exchange to the constitutional commander-in-chief of the army and navy of the United States, the only officer having control of the prisoners. To this end, I dispatched an officer to him under a flag of truce, and, in making the proposal, I informed President Lincoln of my resolute purpose to check all barbarities on prisoners of war by such severity of retaliation on prisoners held by us as should secure the abandonment of the practice. This communication was received and read by an officer in command of the United States forces, and a message was brought from him by the bearer of my communication, that a reply would be returned by President Lincoln as soon as possible. I earnestly hope this promised reply (which has not yet been received) will convey the assurance that prisoners of war will be treated, in this unhappy contest, with that regard for humanity, which has made such conspicuous progress in the conduct of modern warfare. As measures of precaution, however, and until this promised reply is received, I still retain in close custody some officers captured from the enemy, whom it had been my pleasure previously to set at large on parole, and whose fate must necessarily depend on that of prisoners held by the enemy. I append a copy of my communication to the President and commander-in-chief of the army and navy of the United States, and of the report of the officer charged to deliver my communication. There are some other passages in the remarkable paper to which I have directed your attention, having reference to the peculiar relations which exist between this Government and the States usually termed border Slave States, which cannot properly be withheld from notice. The hearts of our people are animated by sentiments towards the inhabitants of these States, which found expression in your enactment refusing to consider them enemies, or authorize hostilities against them. That a very large portion of the people of these States regard us as brethren; that, if unrestrained by the actual presence of large armies, subversion of civil authority, and declaration of martial law, some of them, at least, would joyfully unite with us; that they are, with almost entire unanimity, opposed to the prosecution of the war waged against us, are facts of which daily recurring events fully warrant the assertion that the President of the United States refuses to recognize in these, our late sister States, the right of refraining from attack upon us, and justifies his refusal by the

assertion that the States have no other power than that re-

Davis' Message.

served to them in the Union by the Constitution. Now, one of them having ever been a State of the Union, this view of the constitutional relations between the States and the General Government is a fitting introduction to another assertion of the message, that the Executive possesses power of suspending the writ of *habeas corpus*, and of delegating that power to military commanders at their discretion. And both these propositions claim a respect equal to that which is felt for the additional statement in the same paper, that it is proper, in order to execute the laws, that some single law, made in such extreme tenderness of citizens' liberty that practically it relieves more of the guilty than the innocent, should to a very limited extent be violated. We may well rejoice that we have forever severed our connection with a Government that thus trampled on all principles of constitutional liberty, and with a people in whose presence such avowals could be hazarded. The operations in the field will be greatly extended by reason of the policy which heretofore has been secretly entertained, and is now *avowed* and acted on by us. The forces hitherto raised provide amply for the defense of seven States which originally organized in the Confederacy, as is evidently the fact, since, with the exception of three fortified islands, whose defense is efficiently aided by a preponderating naval force, the enemy has been driven completely out of these stations; and now, at the expiration of five months from the formation of the Government, not a single hostile foot presses their soil. These forces, however, must necessarily prove inadequate to repel invasion by the half million of men now proposed by the enemy, and a corresponding increase of our forces will become necessary. The recommendations for the raising of this additional force will be contained in the communication of the Secretary of War, to which I need scarcely invite your earnest attention.

"In my message delivered in April last, I referred to the promise of the abundant crops with which we were cheered. The grain crops, generally, have since been harvested, and the yield has proven to be the most abundant ever known in our history. Many believe the supply adequate to two years' consumption of our population. Cotton, sugar, tobacco, forming a surplus of the production of our agriculture, and furnishing the basis of our commercial interchange, present the most cheering promises ever known. Providence has smiled on the labor which extracts the teeming wealth of our soil in all parts of our Confederacy.

"It is the more gratifying to be able to give you



Davis' Message. this, because, in need of large and increased expenditure, in support of our army, elevated and purified by a sacred cause, they maintain that our fellow-citizens, of every condition of life, exhibit most self-sacrificing devotion. They manifest a laudable pride of upholding their independence, unaided by any resources other than their own, and the immense wealth which a fertilized and genial climate has accumulated in this Confederacy of agriculturists, could not be more strongly displayed than in the large revenues which, with eagerness, they have contributed at the call of their country. In the single article of cotton, the subscriptions to the loan proposed by the Government cannot fall short of fifty millions of dollars, and will probably exceed that sum; and scarcely an article required for the consumption of our army is provided otherwise than by subscription to the produce loan, so happily devised by your wisdom. The Secretary of the Treasury, in his report submitted to you, will give you the amplest details connected with that branch of the public service; but it is not alone in their prompt pecuniary contributions that the noble race of freemen who inhabit these States evidence how worthy they are of those liberties which they so well know how to defend. In numbers far exceeding those authorized by your laws, they have pressed the tender of their services against the enemy. Their attitude of calm and sublime devotion to their country, the cool and confident courage with which they are already preparing to meet the invasion, in whatever proportions it may assume; the assurance that their sacrifices and their services will be renewed from year to year with unfailing purpose, until they have made good to the uttermost their rights to self-government; the generous and almost unequivocal confidence which they display in their Government during the pending struggle, all combine to present a spectacle, such as the world has rarely, if ever, seen. To speak of subjugating such a people, so united and determined, is to speak in a language incomprehensible to them; to resist attack on their rights or their liberties is with them an instinct. Whether this war shall last one, or three, or five years, is a problem they leave to be solved by the enemy alone. It will last till the enemy shall have withdrawn from their borders; till their political rights, their altars, and their homes are freed from invasion. Then, and then only, will they rest from this struggle, to enjoy, in peace, the blessings which, with the favor of Providence, they have secured by the aid of their own strong hearts and steady arms."

This document was characterized by two features which impressed the Northern mind

singularly, viz: its disingenuousness and its duplicity—the first, in imputing treachery to the President, rapine to his armies, and undue tyranny to the Executive—duplicity in its tenor and tone, evidently designed to impress the mind of Europe, and thus to expedite the hoped-for recognition of the Slave Confederacy. If it answered any direct purpose, its first effect was to inspire the Northern mind with disgust; while the charge of rapine laid upon our soldiery—whose special study had been to punish the rebels with the least possible injury to the fine "sense of honor" and their "sacred rights"—certainly did not incite particular regard for orders which compelled them to respect rebel property, even to leaving their cornfields untouched. Unionists in the South learned, at an early day of the revolution, that *they* had no rights of person or property which the Confederates were bound to respect; yet, the very persons who treated Unionists with brutal severity, and inflicted all the rigors of an unfeeling law, were those who clamored against Federal cruelty!

Among the documents submitted with the Message were the papers regarding the mission of Colonel Taylor to Washington. As they probably exerted some influence in modifying the Federal Government's proceedings against the captured privateers, we may here recur to them. Mr. Lincoln's proclamation of blockade of April 19th, 1861, declared, "that if any person, under the pretended authority of said (Confederate) States, or under any other pretense, shall molest a vessel of the United States, the persons and cargo on board of her, such person will be held amenable to the laws of the United States for the prevention and punishment of piracy." This declaration was simply a consequent of the denial to the Confederates of the *status* of a belligerent power, if they had no rights on the high seas, as such power, then their seizure of vessels sailing

The Case of the Privateers.

\* It is one of the anomalies of the war that men who open insurrection should have been accorded rights of property, of person and of transit. If the South was in insurrection its citizens were rebels, and, if all the laws and usages of nations, rebels had no political and only qualified personal rights.



## The Case of the Privateers.

under the United States flag *was* piracy. In law this was a just construction, and its enforcement was confidently looked for; but, several circumstances conspired to render the law one of standing menace rather than of fact. The early concession, by England and France, of belligerent rights to the Confederate Government, at once placed it on a semi-national footing, throwing over it the ægis of the law of nations, and depriving the United States of the right to execute, as pirates, Southern privateers, unless the Federal Government saw proper to defy the laws of nations and to *force* acquiescence in its construction of rights. Had England and France made no declaration on the subject at all, had they left us to manage our affairs in our own way, Northern juries would have made quick shrift of the "privateers" captured during the summer of 1861. As it was, a boat's crew or two of those caught and brought to Northern seaports for arraignment, were, after a several weeks' attendance upon court, remanded to military prisons to await the fortunes of war. Their cases were suspended on the Court records, to be called again when the General Government should demand. Eventually, they were considered prisoners of war, and, as such, were exchanged for Federal officers held by the Confederate authorities as hostages for the safety of the "pirates." Thus, in this matter, and in the general exchange of prisoners finally ordered or adopted, the rebels gained a semi-recognition of belligerents even from the Federal Government.

The capture of the privateer *Savannah*, by the blockading squadron, off Charleston, early in the war, gave the first case for action under the proclamation of the 19th of April. The men were arraigned and put upon their trial for piracy. A long and very laborious consideration of the case followed. The New York City journals, during June, 1861, devoted much space to the evidence adduced, to the points of law raised and to the arguments of counsel—several of the most ingenious and able lawyers in the metropolis having been enlisted in the defense. The trials called forth a masterly examination of the laws of nations, of the rights of belliger-

ents, of the requisites to establish such rights, of the law and usages regarding letters of marque and reprisal. Thus the proceedings assumed international rather than local importance; and American citizens heard or read expositions of law of which but few had any proper conception.

Pending these proceedings, Colonel Taylor, of the rebel army, entered our lines at Arlington (July 8th), under a flag of truce, as bearer of dispatches to the Federal Government. The wildest rumors flew over the country regarding the nature of this mission. Offers of peace, threats of retaliation, proposals for a general rule of exchanges, and many other purposes were attached to the flag; but, its true nature only transpired when Davis submitted the documents with his message. The following was the communication of which Colonel Taylor was the bearer:

## The Case of the Privateers.

Jefferson Davis to  
Mr. Lincoln.

"RICHMOND, July 6th, 1861.

"TO ABRAHAM LINCOLN, President and Commander-in-Chief of the Army and Navy of the United States:

"Sir:

"Having learned that the schooner *Savannah*, a private armed vessel in the service and sailing under a commission issued by authority of the Confederate States of America, had been captured by one of the vessels forming the blockading squadron off Charleston harbor, I directed a proposition to be made to the officer commanding that squadron for an exchange of the officers and crew of the *Savannah* for prisoners of war held by this Government, "according to number and rank." To this proposition, made on the 19th ult., Captain Mercer, the officer in command of the blockading squadron, made answer on the same day that 'the prisoners (referred to) are not on board of any of the vessels under my command.'

"It now appears, by statements made without contradiction in newspapers published in New York, that the prisoners above mentioned, were conveyed to that city, and have been treated not as prisoners of war, but as criminals; that they have been put in irons, confined in jail, brought before the courts of justice on charges of piracy and treason, and it is even rumored that they have been actually convicted of the offenses charged, for no other reason than that they bore arms in defense of the rights of this Government and under the authority of its commission.



Jefferson Davis to  
Mr. Lincoln.

"I could not, without grave discourtesy, have made the newspaper statements above referred to the subject of this communication, if the threat of treating as pirates the citizens of this Confederacy armed for its service on the high seas, had not been contained in your proclamation of the — April last; that proclamation, however, seems to afford a sufficient justification for considering those published statements as not devoid of probability.

"It is the desire of this Government so to conduct the war now existing as to mitigate its horrors, as far as may be possible; and with this intent, its treatment of the prisoners captured by its forces has been marked by the greatest humanity and leniency consistent with public obligation; some have been permitted to return home on parole, others to remain at large under similar conditions within this Confederacy, and all have been furnished with rations for their subsistence, such as are allowed to our own troops. It is only since the news has been received of the treatment of the prisoners taken on the *Savannah* that I have been compelled to withdraw these indulgences and to hold the prisoners taken by us in strict confinement.

"A just regard to humanity and to the honor of this Government now requires me to state explicitly, that, painful as will be the necessity, this Government will deal out to the prisoners held by it the same treatment and the same fate as shall be experienced by those captured on the *Savannah*; and if driven to the terrible necessity of retaliation by your execution of any of the officers or crew of the *Savannah*, that retaliation will be extended so far as shall be requisite to secure the abandonment of a practice unknown to the warfare of civilized man, and so barbarous as to disgrace the nation which shall be guilty of inaugurating it.

"With this view, and because it may not have reached you, I now renew the proposition made to the commander of the blockading squadron, to exchange for the prisoners taken on the *Savannah* an equal number of those now held by us, according to rank. I am, sir, yours, &c.,

"JEFFERSON DAVIS,

"President and Commander-in-Chief of the Army and Navy of the Confederate States."

A reply never was returned; and those prisoners of war, whom Davis stated he had ordered into close confinement—"whose fate must necessarily depend upon that of the prisoners held by the enemy"—were released only one year thereafter, having been, during all that time, subjected to the rigors of severe and close confinement. In July, 1862, the privateers were finally sent within the

Confederate lines, on the James River, and the American officers were soon after produced.\* Davis kept his word; and there is every reason to believe he would have hung a Federal Colonel or Captain for every "pirate" executed. The consciousness of this fact—after the battle of Bull Run had filled the Richmond prisons with Northern officers and men—was not the least cogent reason urged for treating the privateers as prisoners of war rather than as pirates.

The legislation of the rebel Congress was all done Secret Legislation. in secret session. The doings of their own lawgivers were closed to the scrutiny of the people, and they only learned what was "the law" when Congress so far raised the seal of secrecy as to promulgate its acts for their enforcement. A sterner, less relentless tyranny, never was inaugurated in the name of Liberty. The resolve to prosecute the war with their greatest ability was then the firm, fixed idea of the Southern leaders, and the processes of legislation were not openly subject to observation and discussion. Davis could have been proclaimed in law, as he was in fact, Dictator, and the people would have known nothing of the affair until all was ready for its consummation.

Among the acts specially Southern Resources. noticeable was one to raise means for the prosecution of the war. The shinplaster issues of individuals and corporations having, already, wholly transplanted all other currency, Government found itself outdone in the issue of a baseless scrip. It therefore, sought to create some tangible basis of interest paying if not of actual redemption—that its bonds and notes of issue might have at least a seeming value. The brilliant idea was conceived of making Cotton the great salvator. As Southern men believed, with a faith stronger than their faith in future punishments and rewards, that Cotton was King, it is not strange that the idol of their faith should be addressed in the hour of need. Did not the Romans tread the temple of Janus in times of war in the proud

\* Colonels Corcoran and Wilcox were among those set apart by lot as hostages for the safety of the privateers.



consciousness of his supremacy over all earthly powers? and was not Cotton the equal of Janus in art, in science, in moral, social and commercial position? Quite equal; and Confederate law-givers grew eager to make the representative of human slavery do the work of revolution. The ideas entertained on the means necessary to render the product most available were various; and, eventually, resulted in the formation of the bureau of

The Cotton and Produce Loan.

the "Cotton and Produce Loan." Of this Mr. DeBow was made Superintendent

—a position for which he was presumed to be peculiarly qualified.\* During the session of Congress he issued the following Circular:

"RICHMOND, August 15th, 1861.

*To the People of Tennessee:*

"You have responded with unparalleled unanimity to the calls of your country in furnishing troops to repel the invaders from our soil and to defend the common liberties.

"The Government requires the means to keep its great armies in the field and to meet the requisitions of the war of subjugation which is proclaimed against us.

"These means will be abundantly supplied from the resources of its patriotic citizens, who have evinced their determination now, as in the olden days which 'tried men's souls,' to sacrifice every interest and possession, even life itself, to maintain independence.

"An issue of treasury bonds has been authorized to be made in exchange for the proceeds of the sales of crops and other industry, and these are to draw interest at the rate of eight per cent. per annum. These bonds will equal in character any other investments which can be made, and supported as they are, will enable the Government to issue and protect its treasury notes to such extent as may be proper.

"The Government proposes to every planter and farmer to receive from him a subscription in advance of his crop of any portion thereof exceeding one hundred dollars in value, and will pay him in Confederate bonds when the crop shall be made and sold. The illustration is simple: You subscribe one thousand bushels of wheat, one thousand bushels of corn, one thousand bales of cotton, &c., &c., or less, and specify the place of delivery; you or your own merchant will sell it and receive for the same Confederate bonds to the amount.

"The subscriptions already made to this loan embrace an aggregate of many millions of dollars,

and they are still being received in a ratio which warrants the belief that every want of the treasury will be anticipated as the war advances.

"Tennessee has not yet had the opportunity to respond, and the appeal is now made to her patriotic citizens. Those who will undertake in the several counties of the State to solicit subscriptions will confer a public benefit and greatly aid the cause.

"The form adopted for subscriptions is annexed.

"The agency of the press is earnestly solicited in calling attention to the above.

"J. D. B. DEBOW,

"Superintendent of Cotton and Produce Loan."

As one half of Tennessee was then closely guarded to keep down open revolt against the Confederacy, the "unparalleled unanimity" might be classed with the "humors of the campaign," were it not that, with the author of the Circular, falsification was a chronic weakness rather to be pitied than laughed at.

To the Circular the form of subscription was appended. It read:

"We, the subscribers, agree to contribute to the defense of the Confederate States the portion of our crops set down to our respective names; the same to be placed in warehouse or in our factor's hands, and sold on or before the first day of ——— next; and the net proceeds of sale we direct to be paid over to the Treasurer of the Confederate States, for bonds for the same amount, bearing eight per cent. interest.

"N. B.—The agent in charge of this subscription will fill the blank as to date of sale, with the month best suited to the locality of the subscriber, in all cases selecting the earliest practicable date."

This discloses the whole scheme of that cotton loan enterprise. It forms one of the most absurd chapters in the history of the revolution. Stupendous in its sublime assurance of Confederate success, it was equally stupendous in its folly. Who would purchase the cotton and produce? The Confederate States. What would it pay in? In bonds. What would become of the produce and cotton? The Confederate armies would consume the first and fire would consume as much of the cotton as the Federals did not seize. Result: bonds, and nothing else.

There was, we should say in extenuation of the apparent absurdity of this financial scheme, a sublime faith in the early recognition of the independence of the South-

Faith in Foreign Recognition.

\* See foot-note, page 93.



ern States; *then* the blockade would be raised and the cotton would be sold for English gold. The same blind infatuation regarding the value and importance of their staple prevailed to render the claim of the South for recognition, in their estimation, absolutely imperative. England and France *must* have cotton; therefore they *must* break the blockade, and thus throw down the gauntlet of defiance to the Federal Government.

That the leaders of the revolution lived long enough to be disabused of this impression, and the contributors to the "Cotton and Produce Loan" lived long enough to see their "contributed" property waste away without rendering them any return, history has to record.

The Labors of  
T. Butler King.

It is not un instructive, in this connection, to turn to the labors of agents sent abroad by the Confederacy to lay its claims before European governments. Among other envoys, Dudley Mann and Mr. Yancey were commissioned to England, and Mr. Rost and Thomas Butler King to France.\* The latter was financier-general for the diplomats, and was looked upon as their director-general. His own chief efforts were devoted to the French throne. He laid a communication before the Minister of Commerce, in June, 1861, setting forth the commercial claims of the Southern States to direct commercial relations with Europe. The document was a pamphlet, printed in French, and, though addressed to the Minister of Commerce, really was designed for every court in Europe. It was an able plea, at once specious and imposing in its figures and assumed facts. To foreign apprehension it was a complete argument of justification, and served soon to raise up hundreds of friends to the Southern cause, particularly among the wealthier classes of manufactur-

\* These Confederates practiced their chronic duplicity in Europe. Thus, Mr. King preferred to act as the "Commissioner" of Georgia to "Great Britain, France and Belgium." Nothing was openly said of his relations to the Confederate Government. Yet the correspondence afterwards obtained from a mail-bag seized *in transitu* from Havana to Savannah, proved Mr. King's position of caterer-general to the whole band of Confederate agents abroad.

ers and commercial operators. To American apprehension it was sophistical and disingenuous; any ordinarily informed schoolboy could have refuted its facts and gainsayed its figures; but, it was directed into channels where any refutation would have been charged to illiberality or partisan spite, and therefore it was safe. It was well for the peace of Europe in 1861, that the Southerners' sophistries did not prevail to open a "direct communication with the Confederate States."

Another act of that session was that providing for the sequestration of all Northern property found in the South. It confiscated to the Confederate Government all property, moneys, claims and interests of the "alien enemy" found in the South; required all persons, attorneys, agents, partners, or guardians, to divulge the existence of any such property, &c., known to them under penalty of \$500 for non-exposure; provided for a receiver for such property, &c., for its sale and entire disposition. The Attorney-General, in his instructions for enforcing the act, designated those who were subject to its penalties, viz:

"1. All citizens of the United States, except citizens or residents of Delaware, Maryland, Kentucky, or Missouri, or the District of Columbia, or the Territories of New Mexico, Arizona or the Indian Territory south of Kansas.

"2. All persons who have a domicile within the States with which this Government is at war, no matter whether they be citizens or not. Thus, the subjects of Great Britain, France or other neutral nations, who have a domicile or are carrying on business or traffic within the States at war with the Confederacy, are alien enemies under the law.

"3. All such citizens or residents of the States of Delaware, Maryland, Kentucky or Missouri, and of the Territories of New Mexico, Arizona, and the Indian Territory south of Kansas, and of the District of Columbia, as shall commit actual hostilities against the Confederate States, or aid or abet the United States in the existing war against the Confederate States."

The condition of affairs in the rebellious States, prior to the battle of Bull Run, if not discouraging to their cause was not fruitless of good promise. The necessity for gigantic preparations, for extraordinary sacrifices, impressed even the unreflecting

Sesquestration of  
Northern Property.

Feeling in the South  
after July.



with a feeling of despondency. Behind the outward show of martial spirit stood the sad soul which peopled the future with spectres. The blood, the suffering, the sacrifices, the ruin, necessary to obtain independence, even if it could be won at all, made many question if a mere political separation were worth such cost. A victory to the Federal arms on the first great battle-field, would, in all probability, stay the tide of war, and restore peace. A victory to the Confederate arms would restore confidence in their Government, in their resources, in their power to compel a recog-

nition of the fact of a permanent dissolution of the Union. Hence, the vast importance which hung upon the events of the first contest. Bull Run came from its muddy obscurity to give to the rebel cause its bloody blessing; and, thereafter, no hope of peace lit up a hill or valley of the South. In its stead burned the lurid light of commingled scorn, hate and pride. The wish for peace was gone; despondency was banished as unworthy; and every Southern household set its goods in order as if to prepare for all the contingencies of distress or death.

## CHAPTER VII.

ROSECRANS' OPERATIONS IN THE KANAWHA VALLEY. WISE'S BRIEF MILITARY CAREER. COX AT GAULEY BRIDGE. ROSECRANS' ADVANCE FROM CLARKSBURG. BATTLE OF CARNIFAX FERRY. BATTLE AT CHEAT MOUNTAIN. OPERATIONS UP TO OCTOBER 15TH.

Rosecrans in Command.

McClellan having turned over his command to Brigadier-General Rosecrans, by orders dated Grafton, July 25th, the new commander soon announced the assignment of his brigades, preparatory to clearing the rebels out of the Kanawha country, thus to complete the work so successfully commenced by McClellan, of relieving Western Virginia from rebel thralldom.

McClellan, in his report of July 12th, announcing his victory at Rich Mountain, said: "I trust that General Cox has by this time driven Wise out of the Kanawha Valley. In that case I shall have accomplished the object of liberating Western Virginia." General Cox had not, however, been as rapid as his commanding General seemed to expect. Governor Wise was not made to abandon his post at Charleston until the 25th, when he fell back upon Gauley river, from which place he was pushed by Cox (July 29th)—Wise

"withdrawing" towards Lewisburg, when Western Virginia was pronounced by Rosecrans free of Confederate occupation. It was not free, however, as the Federal General was soon to learn.

To ex-Governor Wise had been assigned the duty of bringing rebellious West-

Ex-Governor Wise  
a Brigadier.

ern Virginia back to its Old Dominion loyalty, and to Confederate obedience. Armed with the commission of a Brigadier-General in the Confederate army, he proceeded at once to the seat of hostilities, taking the Kanawha Valley for his "line of occupation," with head-quarters at Charleston. His aid and *avant-courier*, Evermont Ward, issued this rather unique address or command to the Western Virginians:

"Brave sons of the ancient Commonwealth! The foot of the invading tyrant is upon her soil, and his conduct is characterized by barbarities and atrocities disgraceful to the civilized age in which we live;



he hath seized our kind and dutiful slaves, and yoked them as beasts of burden; laid waste to our crops; ruthlessly violated female innocence (enough of itself to turn the blood of the patriot to currents of fire); he can, he must, he shall be expelled or annihilated! If a nation may be born in a day, an army should be raised in an hour. I am sent forward in advance of the brave, chivalrous and indomitable General Henry A. Wise, to urge you to fly to arms without a moment's delay. Gather everything in the shape of arms that may be converted into them, and paste the name of the person upon them from whom they are taken, that they may be valuable; get the consent of the owner if possible; if not, seize them (provided the owner will not march into line and fight with them). 'Shoot, Luke, or give up the gun,' is the word. Bring all the powder, flints, percussion caps, &c.; all the lead, whether in balls, bars, shot, pipes or gutters; all heavy cotton cloth for tents, old gum shoes to make them waterproof, and everything else you think will be of service. Let the country westward from Staunton to Charleston fly in squads to prominent points of the road, and send in munitions and stores in the same way, and there await the arrival of the General, who will be on in a few days to muster them into service. Let the people of Roane and Jackson rendezvous at Ripley, Jackson county; those of Mason, Putnam, Cabell and Wayne, move on to Charleston at once. Men of the far West, of my own native land—friends, acquaintances, neighbors, relatives—General Wise has always been your friend, and now in the hour of your peril he comes to place his bosom between you and danger. Come down from your mountain homes and rally around his standard.

"Come, through the heather,  
Around him gather;  
Come Ronald, come Donald,  
Come all together.

"Let no stain of dishonor attach to the conduct of a Virginia soldier; follow not the dreadful examples of the enemy, but be brave and fear not. The God that made the mountains and chained the ocean in its bed, will be the God of your strength; His hand is still on high to shield the brave.

"By order of General Wise and Governor Letcher.  
"EVERMONT WARD."

This document, redundant in its adjectives, smacked so strongly of Henry A. Wise bombast that "Ronald" and "Donald" refused to "come through the heather": and that "brave, chivalrous and indomitable General" did not find himself as strong in volunteers as his ambitious plans required. He arrived in the Valley to find the people rather disinclined to court his smiles, or to

fear his frowns; and his first report to Richmond was a cry for reenforcements.

Arriving at Lewisburg, Greenbrier county, he was "addressed" by "numbers of citizens," congratulating him on his arrival, &c. To this he replied, unfolding his purposes, powers and military requisitions. In view of the rather small results which attended the ex-Governor's campaign, perhaps it were cruel to recall the words of promise and praise which the General uttered, but the demands of history leave the historian no option in the matter.

"It has pleased the President to place me in command of the camp of the trans-Alleghany; and it is proper that I should explain, generally, the nature and extent of that command. By instructions of the 3d June, I am to raise a legion, by the prompt formation of companies—the companies to be reported, with their officers, in order that the latter may be commissioned. As soon as a regiment of ten companies is raised, the field officers will be appointed. I have the privilege of recommending these appointments. When the regiments are formed they will be arranged into a brigade, which I am to command, with the commission of Brigadier-General. All officers, of course, will be appointed and commissioned by the President, but with just regard to my recommendation. The mounted men are not to exceed five hundred, equal to six companies, or three squadrons. The artillery is to consist of six field-pieces. All the troops of the legion are to arm and equip themselves thoroughly; but the arms and equipments are to be appraised and paid for after being mustered into service; and to aid in this, I am authorized to purchase private arms for the purpose. Companies may consist of the minimum number of sixty-four or the maximum of one hundred privates. The enlistments are for the war, or for a period not less than one year. Such is the organization of the legion now progressing, and I am authorized to transport all recruits, engaged for it, to Lewisburg, at public expense, up to the 1st July next.

Henry A. Wise's  
Manifesto.

"Besides this command of the legion, I am further commissioned as Brigadier-General, for the defense of the Kanawha Valley, and an indefinite number of the adjoining counties. To that end I am to proceed, with the force placed at my disposal, to the valley of the Kanawha, by all the means in my control to rally the people of that valley and the adjoining counties to resist and repel the invading enemies, who are threatening the Ohio border, or are already trampling our soil on the



Henry A. Wise's  
Manifesto.

march towards Lewisburg. I must needs rely upon the arms among the people to supply the requisite armament; and upon their valor and knowledge of the country as a substitute for organization and discipline. If there be any who have arms beyond their power or will to use, I must take them, with such arrangements as the case may indicate for future settlement. I must rely upon the supplies of the country. When necessary I shall take them by properly authorized agents, and they shall be promptly paid or receipted for, unless they belong to traitors in our midst, whose compeers have in other parts of the State, ruthlessly stripped our patriot friends and made them refugees from their homes and their own mother State, essaying by all treasonable acts and aims to divide and conquer the land of their own birthright—calling ruffian invaders from other States, now declared enemies of our own, who have disgraced their kind by brutal lust, worse than the lust of dominion.

"I shall respect with the highest regard the personal and property rights of all with whom my forces may come in contact; but I shall treat as enemies all internal as well as external foes, according to the rules of civilized warfare. I will endeavor to repel the enemy, if possible, and if I cannot, I will try to check him as near the border of our territory as may be practicable. If able, I will drive him out of our territory, and carry the war to his own dwelling, as he has brought it to ours. Such is a general and full outline of my command, and I now appeal to Western Virginia to defend herself."

Thus he called for volunteers in a strain of mingled entreaty and command, exclaiming: "Come and tarry awhile, at least, with us, in the field of glorious strife, for inestimable rights. Wounds are soothing there! Come and partake of our frugal rations in camp—enter in faith and hope, and heart there, it is sweeter than honey. Come! if you don't come, you shall be the 'jest of women and the scorn of men,' and coward, sluggard, knave, traitor or trifier, shall be branded black upon your name, for life and lives hereafter. Your mothers of the cradle, and your mother State shall disown and dishonor you. Come to the camp, then, or there is a death more deadly for you, and more to be dreaded than the death by 'fire and blood.'"

But, the people did not "come;" and the ex-Governor had to proceed without them. Considering that he had published two pre-

vious proclamations to the "people of Western Virginia," it would appear that those trans-Alleghany *habitans* held either the Governor or his cause, or both, in poor regard.

Wise held Charleston during the early part of June. Cox was dispatch-

The Fight at Scarey  
Town.

ed by McClellan to operate against him, having about four thousand men assigned to his command for that purpose. After various delays his force concentrated at Poca, July 11th. Wise was then entrenched at Charleston with his advance thrown forward fifteen miles down the river to Scarey Town, on Scarey Creek. Against that point the Federals demonstrated, July 17th. A reconnoitering force of about one thousand, consisting of the Twelfth Ohio, Colonel Lowe, two companies of the Twenty-first Ohio, Colonel Norton, the Cleveland (Ohio) Light Artillery, Captain Cotter, with two rifled six-pounders, and the Ironton Cavalry company, Captain Rogers, all under command of Colonel Lowe. These went up the river by transport, to the mouth of Scarey Creek, then marched to Scarey Town (about five miles inland), arriving in its vicinity on the afternoon of the 17th. The enemy, entrenched on a commanding hill across the creek, opened on the cavalry as soon as it came in sight, killing one man and throwing the rest of the little troop into disorder. Cotton's artillery was then ordered forward. A sharp cannon duel followed, at a distance of about five hundred yards, when the rebel guns (two rifled six-pounders) were silenced. The infantry then advanced and a musketry fire immediately opened on both sides. The rebels shot from under cover of pits, and from the log houses of the village. Cotter planted a few balls into the houses, which soon started the troops to more secure quarters. Close fighting, it was evident, would be necessary to force the enemy out. A bayonet charge was, therefore, ordered. A section of the Twenty-first and the two companies of the Twelfth Ohio regiments, led by Colonel White, started to assault the enemy's right. The rest of the Federal troops did not promptly assail the rebel left, as arranged; White's men were, in consequence, soon in the midst of quadruple num-



The Fight at Scarey  
Town.

bers, exposed to a distressing fire which could only be partially returned. The brave fellows soon fell back, having lost heavily. The retreat soon followed under cover of Cotter's guns, which were most admirably served. The enemy did not pursue. Prior to the charge, Colonel Lowe sent word for General Cox to send forward a second regiment, which was done, but it failed to reach the field in time for the fight. It joined the retreating companies. The Federal loss was nine killed, thirty-eight wounded and nine missing. Among the casualties should be named the loss of Colonel Norton as prisoner and wounded. A whole squad of officers who, hearing of the fight, rode out from the camp to be lookers on, passed right into the rebel ranks, supposing them to be those of our victorious troops. Among them were Colonel Woodruff, Colonel De Villiers, Lieutenant-Colonel Neff, and Captains Austin and Hurd.

This was Governor Wise's only conquest.

The March against  
Charleston.

The march of General Cox against Charleston direct was taken up on the 24th. Various skirmishes occurred — the enemy being in position at several points along the river, but they uniformly fled after a few rounds. A rebel steamer having two boats loaded with wheat in tow, was abandoned and fired by the "legionists." On the 25th two divisions of the Federal advance reached Elk river, one-fourth of a mile below Charleston, across which was a wire suspension bridge. This fine structure the rebels had attempted to destroy, but did only small injury. The Federal army was enabled to pass over on the 25th. Wise and his "legion" fled toward the East, and Cox was soon in pursuit. Gauley River was reached by the 29th. There it was discovered that Wise had burned the heavy bridge to secure his safe retreat towards Lewisburg. This left the Kanawha Valley, for a brief period, free of the rebel forces.

To regain lost laurels as well as a lost province, the Virginia and the Confederate Governments dispatched John B. Floyd to the scene, as superior to Wise in emergencies like those surrounding Western Virginia.

We are not sure it is dignified to say it, but the supposition is so natural that we repeat what we presume was the design in sending Floyd to supersede the elder Wise, viz.: to steal a march on Rosecrans. Floyd's eminent qualifications in performances of that nature must ever be the Confederate Government's best defense for placing him in command beyond the Blue Ridge mountains.

Floyd!

Rosecrans prepared to prosecute his work vigorously. After the rebel victory, at Bull Run, the subjugation of Western Virginia became, to the Confederates, one of the fixed general orders, and thither troops soon began to centre. August 20th the Union commander issued an address to the people of his department to settle the public mind in regard to Federal purposes and wishes. The Secessionists, if they were good for anything, were prolific of falsehoods which the General soon found were worse than rebel bayonets in distempering the minds of those well inclined toward the Union cause—the class with whom it was the especial wish of the Federal Administration to make friends. In his address General Rosecrans took occasion to disabuse the people of the idea that he came to conquer: he came to protect them and asked in return their co-operation to put down the secession fallacy, to repress violence and to assist him in ridding the country of the guerrillas, whose almost daily assassinations of soldiers and outrages upon citizens were rendering them sources of extreme annoyance. He said that he should be obliged to hold those neighborhoods, where outrages were committed and sentries were shot, responsible for the crimes committed, and thus in a degree, compelled the citizens to look after the guerrillas and thieves. His address was at once kind but firm, and, so long as he governed in that Department was well sustained by the people.

Rosecrans' Move-  
ments.

Cox's lines remained fixed on the Gauley River, and in that section frequent

The Affair at Sum-  
merville.

skirmishes occurred. One affair assumed noteworthy dimensions. Colonel Tyler, with the Seventh Ohio, was in camp at Summer ville, twelve miles up the Gauley River. Hi



pickets were posted along the river, up and down. On the 21st of August, fourteen men of one company were surprised by a portion of the Richmond Blues regiment of Wise's legion. The Unionists were cut to pieces—only four escaping. On the 26th the Seventh Ohio was attacked in its camp, while at breakfast, by a body of infantry and cavalry—supposed to be about six hundred. The Unionists were completely surprised and were scattered in much disorder, losing about sixty killed and prisoners. Tyler retreated to Cox's position above Gauley Bridge. Floyd, at that time, was reported to have about nine thousand men in the vicinity.

The March from  
Clarksburg.

Rosecrans started from Clarksburg, early in September for the Gauley River,

passing down by way of Sutton to Summerville, eight miles below which, at Cross Lanes, Floyd and Wise were in considerable strength, both of fortifications and men. The Federal army, General Benham's brigade in the advance, on the morning of Monday, Sept. 10th, crossed Powell Mountain, the loftiest summit in Western Virginia. There evidences of a fresh camp were detected, and the enemy's position was fully determined by information obtained from the half-civilized women inhabiting the cabins of that wild and romantic region. Pressing on towards Summerville, a second camp was discovered in Muddlethy bottoms, from which, as one present remarked in the unique language of that region, "the whackers skedaddled beautifully." Early Tuesday morning the march was resumed with extreme caution, as the rebels were discovered flitting in all directions. The innumerable mountain paths and by-lanes, which only those familiar with that magnificent region could use, gave the enemy ample covert for their scouts; and it required the utmost vigilance to avoid their decoys as well as to provide against any ambushade or masked batteries. General Benham showed great prudence and sagacity on the advance and proved himself an able officer.\*

Battle of  
Carnifex Ferry.

Approaching the vicinity of Cross Lanes and Carnifex Ferry over the Gauley

River, extended reconnoissances revealed the enemy's exact location to be on the cliffs overlooking the Carnifex Ferry road and ford. Benham was locating these positions, with his advance (Lytle's Irish regiment the Ohio Tenth), with no design to bring on a battle, as the men were very weary with their long day's tramp over the hills. But, the rebel pickets were stumbled upon and unwittingly pressed back upon their lines, when the long line of a blazing parapet revealed the whole extent of the rebel stronghold.

The fight now became sharp. Benham found it necessary either to press his advance, or to sound the retreat—an order which his regiments were too much disinclined to hear at that moment, and he resolved to hold all to await the coming up of Rosecrans, to whom he had dispatched the news of his operations.

Not a man was hurt by the first volley poured in upon the advancing Federal troops from the enemy's elevated works. "The Tenth was deployed"—we quote from a good account of the affair by one present—"up the hill to the right, and the Ohio Thirteenth, Colonel Smith, down the hill into the ravine to the left—each regiment led by its Colonel in person. Our batteries were still behind, and Howe's Twelfth Ohio was some distance in the rear coming up slowly, so that the Tenth and Thirteenth had to support the enemy's fire a long time without assistance. But they did it gallantly, and continued to advance until they got to the edge of the abattis in front of the enemy, where they stood near the verge of the forest. In consequence of the rugged and impracticable nature of the ground, the line of the Tenth was broken, and the right wing was separated from the centre. Colonel Lytle could not see this on account of the jungle, and General Benham was directing a movement to the extreme left, when Lytle ordered the colors forward, and shouting 'Follow, Tenth,' he made a dash up the road, intending to charge battery, and succeeded in getting within little more than a hundred yards of the rebel parapet before he was discovered. A terrific

\* We particularly remark this, because the General was, afterwards, suspended from command, owing, it is charged, to his indiscretions and rashness on the advance against Charleston, S. C., in May, 1862.



Battle of  
Carnifex Ferry.

fire opened upon him, and his four gallant companies, who followed him with frantic cheers, suffered severely. A ball went through his left leg, and wounded his horse, which became unmanageable and threw him. The horse dashed over the rebel entrenchments, and was killed, and the gallant Lytle himself was assisted into a house not a hundred feet off, and heard the crash of cannon balls through it and over it until the battle ended. Color-Sergeant Fitzgibbons, who was behind the Colonel when he fell, had his right hand shattered, but, gathering the Stars and Stripes in his left, he waved them again enthusiastically, and was torn to pieces by a round shot. Sergeant O'Connor snatched the falling colors, and again held them aloft, when he was also struck by a ball in his left hand, but he dropped behind a log, and kept the colors flying until exhaustion compelled him to drop them. His Captain, Stephen McGroarty, as gallant a fellow as ever wore sword, snatched them up again, and while rolling them up, ordered his men to retire to cover, and in bringing up the rear a ball struck him in the right breast, and went through him without disabling him, until he got out of the field with his flag. Every man of his company stuck to him with unswerving fidelity.

"The Irish lads continued to stick to the front with splendid determination, but they were sadly cut up. Father O'Higgins, their Chaplain, was with them constantly, and Lieutenant-Colonel Dorff, Major Burke, Captain R. N. Moore and Captain Annis displayed conspicuous gallantry. Meantime, Colonel Smith worked off to the extreme right of the rebels, under a furious fusilade of rifles and musketry, and was laboriously engaged in scaling a precipice which protected the rebel position in that direction. It was twilight before he got into position for an assault, but his men lay on their bellies in the thicket, playing away at the enemy not a hundred yards from them. The order for an assault did not come, and the brave Thirteenth had wasted its energies and showed their pluck for nothing. The conduct of Colonel Smith and his regiment was a theme of admiration. The Colonel himself was brave to a fault, but

cool and skillful as a veteran. The Twelfth Ohio had found their route impracticable, and their brave Colonel carried them over a rugged route squarely into the front of the battle, and gave them an opportunity to do their share of duty. Colonel Lowe was encouraging and directing them in front, when he was struck by a shot fairly in the centre of his forehead, and he fell dead without a groan. A moment afterwards a charge of grape mangled both his legs.

"Snyder's two rifled six-pounders and McMullen's batteries were planted in the road about two hundred yards in front of the rebel main battery, and were served rapidly and with considerable effect. Subsequently part of each was removed to the right. Captain McMullen was finally struck down, but not seriously hurt. The rebel artillery was not regarded very formidable. The majority of their balls and shells went whistling and tearing through the tree-tops, making an infernal racket, and now and then a round shell would stop, in mid career, in the trunk of a tree, and bury itself with a wicked crash. The cannon practice generally was not distinguished for scientific accuracy. The rebels finally got short of legitimate ammunition, and played spelter canister upon us. Many of our shells did not explode at all, but occasionally one would scatter the rebels in every direction. But our lads rarely caught a glimpse of the Virginians. They kept close under cover, and made no unnecessary exposures. Even their gunners were exceedingly careful to keep out of the way, and not once did they attempt to display daring, or to move from their position toward us.

"At dusk McCook's brigade was ordered into position. The Ninth was carried around to the left of the rebel battery by Captain Hartsuff, to make a rush upon it under a flanking battery, which had been discovered in the woods, on their extreme left, but which had not been served during the engagement. The bold fellows, under their Colonel, pushed forward under a galling storm of musketry, and were about to dash headlong at the enemy, under cover of darkness, when they were ordered back, after suffering a loss of one killed and ten wound-

Battle of  
Carnifex Ferry.



Battle of  
Carnifex Ferry.

ed. The four companies under Major Hayes, after infinite difficulty, scaling precipices and forcing their way through dense thickets of laurel and blackberry bushes, had been halted in a ravine in front of the centre of the rebel's right wing, and they were afterwards supported by the Twenty-eighth, under Colonel Moor. The former met with no casualties, though under fire. The latter pushed across the ravine, and extended the line up a precipitous hill, until the whole of the main front of the enemy was enveloped by our lines. He lost two killed and thirty-one wounded.

"It was now pitchy dark. It was impossible to distinguish an object a yard from your eyes, and it was so obviously unwise to storm the works in such dense obscurity that the General was compelled to withdraw the troops. They retired slowly and mad at their disappointment, and bivouacked wearied and supperless within musket range of the rebel front. It was nine o'clock at night when they got out of the forest where they had labored and fought unflinchingly five hours."

Floyd's Retreat.

It is to be written that Floyd, like his illustrious predecessor, retired under the cover of darkness, crossing the river just below his fortifications, bearing off with him all his artillery, but leaving pretty much all his baggage. Even his own trunk was among the trophies found in his camp, when, early next morning, the Federal troops advanced to the assault to find the enemy gone. Like Longfellow's Arab, the rebel leader could not afford to stay. His own capture would prove too great a disaster to his own private fortunes; hence he "retired."

The Mistakes of the  
Day.

It is difficult to pass judgment upon the Federal conduct of this attack.

That Floyd should have been captured is admitted, and that he would have been caught is highly probable had the intricacies of that section been at all understood by Rosecrans. Why the General had no guide capable of directing him into every possible avenue of rebel retreat, we cannot say; nor, can we even guess why that partial attack was allowed so late in the evening that darkness

found our men groping around in perfect bewilderment among the cliffs and jungles of an unknown position. The "armed reconnoissance" ordered ended, certainly, with the roar of musketry from the rebel main works; and the attack commenced when the two Ohio regiments deployed for approach assault—all of which may have been the fault of Benham; but, the fact that Rosecrans ordered forward *supports*, that he threw McCook's brigade into position for assault, as well as the artillery, gives to the Commanding General the credit or discredit of the whole affair.

Floyd, in his report, placed his force at two thousand men; and gave, as the excuse for his retreat from what could easily have been rendered an impregnable position, that Wise did not come up with reinforcements as ordered. Therefore he reported Wise to the Confederate War Department for delinquency; and a sharp quarrel sprang up between the rivals.

Floyd reported his loss as twenty wounded—none killed! He conceded the Federal assault to have been very spirited and determined. The Federal loss was fourteen killed and one hundred and four wounded—several mortally, but most of them slightly. The plunder found in the camp was considerable, consisting of all the officers' baggage, all their commissary stores, tents, and large quantities of guns, blankets, wagons, &c. Their destruction by fire would have discovered their retreat—hence, everything was left which could not be borne away on a flying retreat. A few guns, pitched into the river, were afterwards recovered by the Federals.

Wise was in the vicinity of Gauley Bridge during the operations just detailed.

Rosecrans' Disposition of Force.

Cox still retained his position at that place awaiting Rosecrans' movements and orders. His force did not authorise any advance. Rosecrans' army was too small to pursue the flying columns. So long as the Confederates kept three distinct armies in the field the Federal commander could not mass his troops without losing ground at points considered important. He therefore pressed the enemy only as prudence seemed to warrant, preferring to incur no hazard of defeat where relief was so distant. The War Department



was, at that moment, devoting all its energies in other directions, and Western Virginia scarcely sufficed to make a shadow on its troubled "field of operations."

The Battle of  
Cheat Mountain.

Rosecrans, in arranging his plans of offense and defense, had placed Brigadier-General Joseph R. Reynolds in position at Cheat Mountain to cover the approaches towards Beverly and to act as a left advance of the Federal forces. Against Reynolds the rebel leaders resolved to dispatch their best men, hoping, by driving him before them, to obtain a hold on Rosecrans' flank and rear, and, by a rapid sweep, to concentrate the forces of Floyd and Wise for a march direct on Grafton. The Confederate programme, at that moment, was to crowd the war over into Maryland. To this end they occupied every point along the Upper Potomac requisite for a movement forward when the line of the Baltimore and Ohio Railway was secured at Grafton—thus to prevent reinforcements from reaching the Federal forces by that route.

To Major-General Robert E. Lee was committed the work of turning Rosecrans' advance into a retreat. The Confederate commander appeared before Cheat Mountain, on the 12th of September, having a force of about nine thousand strong and ten pieces of artillery. Reynolds had disposed his forces in three sections to guard as many approaches to his position. Lee advanced on Elk Water, with his main force, by way of the Huntersville pike. Reynolds thus detailed the operations which followed:

"Our advanced pickets—portions of the Fifteenth Indiana and Sixth Ohio—gradually fell back to our main picket station; two companies of the Seventeenth Indiana, under Colonel Hascall, checking the enemy's advance at the Point Mountain Turnpike, and then falling back on the regiment which occupied a very advanced position on our right front, and which was now ordered in. The enemy threw into the woods on our left front three regiments, who made their way to the right and rear of Cheat Mountain, took a position on the road leading to Huttonville, broke the telegram wire and cut off our communication with Colonel Kimball's Fourteenth Indiana Cavalry on Cheat Summit. Simultaneously another force of the enemy of about equal strength, advanced by the Staunton Pike on the front of Cheat

Mountain, and threw two regiments to the right and rear of Cheat Mountain, which united

The Battle of  
Cheat Mountain.

with the three regiments from the other column of the enemy. (The two posts, Cheat Summit and Elk Water, are seven miles apart by a bridge-path over the mountains, and eighteen miles by the wagon-road *via* Huttonville. 'Cheat Mountain Pass,' the former headquarters of the brigade, being at the foot of the mountains, ten miles from the summit.) The enemy advancing towards the Pass, by which he might possibly have obtained the rear or left of Elk Water, was met there by three companies of the Thirteenth Indiana, ordered up for that purpose, and one company of the Fourteenth Indiana from the Summit. These four companies engaged and gallantly held in check greatly superior numbers of the enemy, foiled him in his attempt to obtain the rear or left of Elk Water, and threw him into the rear and right of Cheat Mountain—the companies retiring to the pass at the foot of the mountains.

"The enemy, about five thousand strong, were closed in on Cheat Summit, and became engaged with detachments of the Fourteenth Indiana, Twenty-fourth and Twenty-fifth Ohio, from the Summit, in all only about three hundred, who, deployed in the wood, held in check and killed many of the enemy, who did not at any time succeed in getting sufficiently near the field redoubt to give Dean's Battery an opportunity of firing into him. So matters rested at dark on the 12th, with heavy forces in front and in plain sight of both posts, communication cut off, and the supply train for the mountain, loaded with provisions which were needed waiting for an opportunity to pass up the road. Determined to force a communication with Cheat, I ordered the Thirteenth Indiana, under Colonel Sullivan, to cut their way, if possible, by the mail road and the greater part of the Third Ohio and Second Virginia, under Colonels Manon and Moss, respectively, to do the same by the path; the two commands starting at 3 o'clock A. M. on the 13th, the former from Cheat Mountain Pass, and the latter from Elk Water, so as to fall upon the enemy if possible, simultaneously. Early on the 13th, the small force of about three hundred from the Summit engaged the enemy, and with such effect, that notwithstanding his greatly superior numbers, he retired in great haste and disorder, leaving large quantities of clothing and equipments on the ground and our relieving forces, failing to catch the enemy, marched to the Summit, securing the provision train and reopening our communication. While this was taking place on the mountain, and, as yet unknown to us, the enemy, under Lee, advanced on Elk Water, apparently for a general attack, on



The Battle of  
Cheat Mountain.

rifled ten-pound Parrott gun,  
from Loomis' Battery, was run  
to the front, three-fourths of a

mile, and delivered a few shots at the enemy, doing fine execution, causing him to withdraw out of convenient range. Our relative positions remained unchanged until near dark, when we learned the result of the movement on the mountain, as above stated, and the enemy retired somewhat, for the night.

"On the 14th early the enemy was again in position in front of Elk Water, and a few rounds, supported by a company of the Fifteenth Indiana, were again administered, which caused him to withdraw as before—the forces that had been before repulsed from Cheat, returned and were again driven back by a comparatively small force from the Mountain. The Seventeenth Indiana was ordered up the path to open communication and make way for another supply train, but, as before, found the little band from the Summit had already done the work. During the afternoon of the 14th the enemy withdrew from before Elk Water, and is now principally concentrated some ten miles from this post, at or near his main camp. On the 15th he appeared in stronger force than at any previous time in front of Cheat, and attempted a flank movement by the left, but was driven back by the ever-vigilant and gallant garrison of the field redoubt on the Summit."

Thus repulsed in his several essays to dislodge the Federals, Lee retired to fortifications at Greenbrier, apprehending a movement on his own rear, by Rosecrans, from Summerville. The rebels had to mourn the loss, among others, of Colonel John A. Washington, Aid-de-camp to General Lee. He was killed while in the act of reconnoitering. Discovering who the officer was, General Reynolds immediately dispatched the body to the rebel lines. The honored name of Washington received its first stain in the inglorious career of the rebel Colonel.\* The

\* John A. Washington inherited the Mount Vernon Estate. He allowed it to become a ruin. Pilgrims to the shrine of Washington were shocked at the monstrous neglect everywhere apparent. The Tomb was falling into ruins and the Mansion into dilapidation. The condition of the estate became a national disgrace. But, owned by an individual, neither Congress nor the people had any control over the matter. The grand-nephew had his ends to accomplish in the matter: the greater the national disgrace the larger the sum he would obtain for a quit-claim of the Tomb and Mansion. Two hundred thousand dollars was the sum he demanded

rebel losses in these affairs  
were quite serious. Over  
one hundred are known to

have been killed. The Federal loss was nine killed, forty-seven wounded and sixty prisoners. Only twenty of the enemy were secured as prisoners.

This campaign, like most all others in which the Confederates were worsted, was heralded by the Southern press as a victory. The Richmond *Enquirer* of Sept. 19th, announcing Reynolds' hopeless situation, by Lee's environment of the Cheat Mountain Pass, gave the detail of Lee's movements as follows:

"The general position of the respective forces is stated to be as follows: General Reynolds' main body is strongly fortified in the Cheat Mountain Pass. He has there about four thousand men. East of that Pass he has a force of some hundreds guarding the ford of Cheat River. Near this ford, on the east, General Jackson, of the Confederate army, is stationed with his command. West of Cheat Mountain, at a place called Stipes', Reynolds has another body of soldiers, about twelve hundred in number. He has others further west, at Huttonsville.

"General Lee has moved with the force under his immediate command around to the west of Cheat Mountain, and taken possession between Stipes' and Huttonsville. He made this movement by a road which he himself cut for that purpose. By this means he has gained possession of the road leading from Cheat Mountain to Huttonsville, and has thus thrown himself in the rear of the enemy at Cheat Mountain and Stipes', and cut off their retreat. He has now, it is said, a force largely superior to that of the enemy."

for the Tomb and one hundred acres adjoining. As the lands were worthless, from exhaustion, the amount named was only represented by the bones of George Washington. Through the exertions of a few patriotic women, and the zealous labors of Edward Everett, the large sum was obtained and paid over to John A. Washington. Nearly seven-eighths of the amount came from Northern purses. It was not strange, after this transaction and the disposal of the negroes whom he had raised for market on the Estate, that the grand-nephew was ready for service in the cause of treason.

The Battle of  
Cheat Mountain.



Battle of Greenbrier  
River.

Lee retired, as said, to the Greenbrier river, where his entrenched camp offered a defense, in event of Rosecrans' attempt upon his rear. Reynolds, however, gave his enemy no peace. On the night of October 2d, he started for Greenbrier, in strong force, to "reconnoiter." The enemy was surprised to some extent and all his advances driven in with heavy loss. The gallantry of Reynolds' men was irresistible, while the fine artillery of the division, taking position within seven hundred yards of Lee's entrenchments, cut up his camp fearfully. This demonstration Lee could only resist by defense; he attempted no counter assault, and allowed the Federals to retire at their leisure. Lee's forces, confined to camp, soon became inefficient from the demoralization ever following defeat and inactivity; and winter set in to find the enemy in front of Cheat Mountain too peaceably inclined to warrant the retention there of more than a "corporal's guard" to watch them.

Rosecrans, after much important minor service in whipping guerillas around the country, conjoined forces with Cox, taking up a good position at Gauley Mount, on New River, three miles above the junction with Gauley River. Floyd and Wise took up their temporary residence on the opposite side, and, for a week or more [October 30th to November 7th], greatly annoyed the Federalists by cannonading supply trains passing from the junction up to their camps. This resulted in compelling Rosecran's teamsters to do their work during the darkness. The "siege" was finally ended by the arrival of several Parrott guns, which soon sent the

enemy back from the river line for safer quarters.

Rosecrans' Move-  
ments.

At the date of November 1st, the Union forces were disposed as follows: First and Second Kentucky and Eleventh Ohio, formed Cox's brigade, and were located around the Gauley Bridge ruins. General Schenck's brigade of three regiments was eight miles above, and Colonel McCook's brigade, also of three German (Ohio) regiments, was five miles above Rosecrans' camp on Gauley Mount; General Benham's brigade was at Cannelton, eleven miles below Gauley Bridge; Colonel Tyler held Charleston, with the Seventh Ohio and the Second Virginia regiments. These commands all were small. The summer campaign had been severe, and hundreds of the finest troops were disabled from active service. The press of reinforcements was for the East. No thought apparently was given to the Western Virginia corps, which had done so much in so brief a period. Eastern Tennessee was left to its fate. Kentucky was in extreme peril. Missouri hung in the balance. All interest, all effort, seemed to centre in the one movement upon Manassas, where, it was given out, the great battle was to be fought which was to decide the fate of the rebellion. That battle not only was not fought, but the movement on Manassas was a failure, in the worst sense of the word: it was taken without a blow, and the rebel host quietly and liesurely withdrew, to compel the Federals to make another six months campaign in "approaches" to Richmond. Manassas was taken, but the rebellion had gathered new strength by the evacuation.



## CHAPTER VIII.

### KENTUCKY DURING ITS PERIOD OF "NEUTRALITY."

**Kentucky's Loyalty.** NOTWITHSTANDING the neutrality which the Governor of Kentucky had proclaimed, May 20th, [see page 170,] and the semi-endorsement obtained for that anomalous position by the affirmative action of the State Senate, May 24th, [see page 171]—notwithstanding the Appeal to the Border State Convention, (composed of a mere corporal's guard of delegates,) for the people to "be steady in their (then) present position" [see page 172], the State drifted slowly but surely in the right direction. July 1st the election for members to the National Congress resulted in a heavy Union majority. As the candidates had been nominated on the real issue of secession or no secession, the vote indicated how immensely in the ascendant was the loyal element. The returns were :

	Union,	Disunion.
1st District, .....	6,225	8,988
2d " .....	9,251	3,354
3d " .....	10,392	3,111
4th " .....	10,339	2,469
5th " .....	8,217	2,719
6th " .....	8,101	152
7th " .....	11,035	2,862
8th " .....	8,272	5,706
9th " .....	12,130	3,850
10th " .....	8,373	3,774
	<hr/>	<hr/>
	92,365	36,995

Giving an acknowledged Union majority of fifty-five thousand three hundred and seventy.

While this vote expressed the loyal sentiment of the people, it did not indicate the heavy undercurrent of pro-slavery sentiment which was but provisionally loyal. The fear that the war might result in the destruction of their interests in the inter-State slave trade, operated powerfully on the minds of the majority of slave-owners; but, as in all Slave

States, the great majority of the people were not proprietors in man-property; and, permitted to express their wishes without the fear of rebel bayonets, they declared for the Union without qualification.

The Governor of the State represented, in sentiment, the slave proprietary, and was, therefore, strenuously active in pressing the "neutral" condition of affairs voted for by the extra session of the Legislature; while the commanding General of the "State Guards"—called out to sustain the "honor of Kentucky soil" by repelling rebels and Federals alike—was known to favor the Confederate cause. But, Kentucky was not Tennessee, to be sold out and delivered, bound, over to the Davis Government; and Magoffin performed his Gubernatorial functions without exciting any popular fears for the result.

We may not recite the thousand and one minor incidents and accidents which attended the term of Buckner's military reign. He was in a constant state of activity, but succeeded in nothing which did not prove his Southern sympathies and his extremely limited loyalty to Kentucky if she should side openly with the Federal Government. The communication remitted by Governor Magoffin to Mr. Lincoln cited the grievances of the neutrals. It was :

" COMMONWEALTH OF KENTUCKY, }  
EXECUTIVE DEPARTMENT, }  
" FRANKFORT, Aug. 19th, 1861. }

" TO HIS EXCELLENCY, ABRAHAM LINCOLN, President  
of the United States :

" Sir: From the commencement of the unhappy hostilities now pending in this country, the people of Kentucky have indicated an earnest desire and purpose, as far as lay in their power, while maintaining their original political status, to do nothing by which to involve themselves in the war. Up to this time they have succeeded in securing to them-



Magoffin's Demands  
of the President.

selves and to the State peace and tranquillity as the fruits of the policy they adopted. My single object now is to promote the continuance of these blessings to the people of this State.

"Until within a brief period the people of Kentucky were quiet and tranquil, free from domestic strife, and undisturbed by internal commotion. They have resisted no law, rebelled against no authority, engaged in no revolution, but constantly proclaimed their firm determination to pursue their peaceful avocations, earnestly hoping that their own soil would be spared the presence of armed troops, and that the scene of conflict would be kept removed beyond the border of their State. By thus avoiding all occasions for the introduction of bodies of armed soldiers, and offering no provocation for the presence of military force, the people of Kentucky have sincerely striven to preserve in their State domestic peace, and avert the calamities of sanguinary engagements.

"Recently a large body of soldiers have been enlisted in the United States Army and collected in military camps in the central portion of Kentucky. This movement was preceded by the active organization of companies, regiments, &c., consisting of men sworn into the United States service, under officers holding commissions from yourself. Ordnance, arms, munitions and supplies of war are being transported into the State, and placed in large quantities in these camps. In a word, an army is now being organized and quartered within the State, supplied with all the appliances of war, without the consent or advice of the authorities of the State, and without consultation with those most prominently known and recognized as loyal citizens. This movement now imperils that peace and tranquillity which from the beginning of our present difficulties have been the paramount desire of this people, and which, up to this time, they have so secured to the State.

"Within Kentucky there has been, and is likely to be, no occasion for the presence of a military force. The people are quiet and tranquil, feeling no apprehension of any occasion arising to invoke protection from the Federal arm. They have asked that their territory be left free from military occupation, and the present tranquillity of their communication left uninvaded by soldiers. They do not desire that Kentucky shall be required to supply the battle field for the contending armies, or become the theatre of the war.

"Now, therefore, as Governor of the State of Kentucky, and in the name of the people I have the honor to represent, and with the single and earnest desire to avert from their peaceful homes the hor-

rors of war, I urge the removal from the limits of Kentucky of the military force now organized and in camp within the State. If such action as is hereby urged be promptly taken, I firmly believe the peace of the people of Kentucky will be preserved, and the horrors of a bloody war will be averted from a people now peaceful and tranquil.

"B. MAGOFFIN."

This communication was dispatched by the hands of two "Commissioners," whom the Governor "accredited" to the President. With much good sense, and no little sarcasm, the President refused to receive the Commissioners in any other capacity than as private citizens. Under date of the 24th, he answered Magoffin's demand in these plain but determined words:

The President's  
Answer.

"WASHINGTON, D. C., Aug. 24th, 1861.

"To his Excellency, B. MAGOFFIN, Governor of the State of Kentucky :

"Sir: Your letter of the 19th inst., in which you 'urge the removal from the limits of Kentucky of the military force now organized, and in camp within that State,' is received.

"I may not possess full and precisely accurate knowledge upon this subject; but I believe it is true that there is a military force in camp within Kentucky, acting by authority of the United States, which force is not very large, and is not now being augmented.

"I also believe that some arms have been furnished to this force by the United States.

"I also believe that this force consists exclusively of Kentuckians, having their camp in the immediate vicinity of their own homes, and not assailing or menacing any of the good people of Kentucky.

"In all I have done in the premises I have acted upon the urgent solicitation of many Kentuckians, and in accordance with what I believed and still believe to be the wish of a majority of all the Union loving people of Kentucky.

"While I have conversed on the subject with many eminent men of Kentucky, including a large majority of her members of Congress, I do not remember that any one of them, or any other person, except your Excellency and the bearers of your Excellency's letter, has urged me to remove the military force from Kentucky or to disband it. One other very worthy citizen of Kentucky did solicit me to have the augmenting of the force suspended for a time.

"Taking all the means within my reach to form a judgment, I do not believe it is the popular wish of Kentucky that the force shall be removed beyond



her limits; and with this impression, I must respectfully decline to so remove it.

"I most cordially sympathize with your Excellency in the wish to preserve the peace of my own native State, Kentucky; but it is with regret I search, and cannot find, in your very short letter, any declaration or intimation that you entertain any desire for the preservation of the Federal Union.

"ABRAHAM LINCOLN."

Position of Kentucky. The anomalous position of a State authority questioning the right of the Federal Government to protect itself, forbidding its jurisdiction on Kentucky soil, is one of those events which forcibly illustrates the absurdity of the "State Rights" dogma, on which the whole scheme of secession was founded. If Governor Magoffin could order Abraham Lincoln's troops away, and could sustain Kentucky's "neutrality," Federal authority and rights were a farce—a State was superior to the General Government.

This assumption was too preposterous and wicked for the loyal men of Kentucky to tolerate. Sentiment rapidly formed against neutrality and for open co-operation with the National authorities in suppressing the dissolution revolution.

Efforts of the  
Secessionists.

Pending the assembly of the Legislature (Sept. 3d), intense excitement prevailed

through the entire area of the State regarding the condition of affairs. Agents of the Southern Confederacy were everywhere, laboring by their open personal efforts, by the press, by intrigue, by threats and brilliant promises, to cajole the people from their loyalty. John C. Breckenridge as chief operator threw into the desperate game all his political and personal influence. A dispatch dated Sept. 4th, stated: "It is understood in Frankfort that Governor Magoffin refused to play into the hands of the rabid Secessionists; that he has had a quarrel with Mr. Breckenridge; that he refuses to demand the breaking up of the United States camp in Garrard county, and that he declares that he will submit to the will of the majority of the people of Kentucky, as may be expressed through the Legislature."

The Legislature assembled Sept. 3d, but was not fully organized until the 5th, when

the Governor submitted his Message, the abstract of which read: "Kentucky

Assembly of the  
Legislature.

had a right to assume a neutral position; she had no agency in fostering a sectional party in the Free States, and did not approve of the separate action and secession of the Southern States, at the time. Until recently Kentucky's neutrality had not been aggressed upon by either belligerent power. Lawless raids have been suffered on both sides; private property seized; commerce interrupted; trade destroyed. These wrongs have been borne with patience as long as possible: but a military Federal force was organized, equipped and encamped in the central portion of Kentucky, without consultation with the State authorities, but a short time before the assembly of a Legislature fresh from the people. If the *people* of Kentucky desired more troops, let them be obtained under the Constitution of Kentucky. He recommended that the act of April, 1861, be so amended as to enable the Military Board to borrow a sufficient sum for the purchase of arms and munitions for Kentucky's defense.

The Governor also inferred from the President's letter (given above) that Mr. Lincoln would remove the troops if the *people* requested it. He recommended the passage of resolutions requesting all troops or military bodies, not under State authority, to disband. He complained of the continued introduction of Federal arms and of their distribution to private citizens. That "source of irritation" should be arrested, &c., &c. His further views of national relations were thus expounded:

"Kentucky has meant to wait the exhausting of all civil remedies before they will reconsider the question of assuming new external relations; but I have never understood that they will tamely submit to the unconstitutional aggressions of the North; that they renounce their sympathy with the people of her aggrieved sister States, nor that they will approve of a war to subjugate the South. Still can I not construe any of their votes as meaning that they will prosecute a coercive war against their Southern brethren. They meant only that they have still some hope of the restoration and perpetuation of the Union, and until that hope is blasted they will not alter their existing relations. Their final decision will be law to me, and I will execute



every constitutional act of their representatives as vigilantly and faithfully as though it originated with myself."

The Legislature did not sympathise with the sentiments here expressed, to any emphatic degree. The House (Sept. 11th) adopted a resolution directing the Governor to issue a proclamation ordering the Confederate troops, encamped in the State, to evacuate the soil of Kentucky. The vote on the passage of the resolution stood 71 in favor to 26 against. It then refused to suspend the rules, in order to allow the introduction of a resolution ordering the Governor to issue a proclamation ordering both the Federal and Confederate troops to evacuate the State.

This was promptly followed, by the passage through both Houses, of the following loyal and decided resolves:

"*Resolved*, That Kentucky's peace and neutrality have been wantonly violated, her soil has been invaded, the rights of her citizens have been grossly infringed by the so-called Southern Confederate forces. This has been done without cause; therefore,

"*Be it resolved by the General Assembly of the Commonwealth of Kentucky*, That the Governor be requested to call out the military force of the State to expel and drive out the invaders.

"*Resolved*, That the United States be invoked to give that aid and assistance, that protection against invasion which is granted to each one of the States by the 4th section of the 4th article of the Constitution of the United States.

"*Resolved*, That General Robert Anderson be, and he is hereby, requested to enter immediately upon the active discharge of his duties in this military district.

"*Resolved*, That we appeal to the people of Kentucky by the ties of patriotism and honor, by the ties of common interest and common defense, by the remembrances of the past, and by the hopes of future National existence, to assist in repelling and driving out the wanton violators of our peace and neutrality, the lawless invaders of our soil."

This passed the House by a vote of 68 to 26—indicating the Union strength in that "conservative" body. But, Governor Magoffin, although he had promised to obey and enforce, faithfully, the mandate of the Legislature, had not counted upon this loyalty. He attempted to stay the Union-ward set of the tide by a veto of the resolutions (Sept.

13th); but their quick repassage, by the Legislature, over his veto, warned him that the game of secession was dead in Kentucky.

This action was called for by the perilous state of affairs. A dispatch from Louisville, Sept. 9th, stated: "The irritation between the Unionists and the secession element in this city is hourly increasing. The best informed politicians hold that the crisis has been reached, and that the neutrality phantom will give way in a few days to a hostile collision, and that Kentucky will share the fate of Missouri. The Union men of this city loudly demand prompt and energetic action on the part of the Legislature for suppressing rebel movements in the State, and are very restive under the dilatory policy thus far pursued. A delegation of Tennessee Secessionists, assisted by Senators Breckenridge and Powell, ex-Governor Morehead and others, are exerting their utmost to prevent the Legislative endorsement of the formation of military camps in the State. A call for additional volunteers is urged by more decided Unionists."

Excitement among the People.

The Confederates were, of course, restive under this state of things. The game of plot and counter-plot among military commanders commenced early in the month. General Grant, the Federal officer in command at Cairo, telegraphed to the Legislature, September 5th, that the rebel forces, in considerable numbers, had invaded Kentucky, and were occupying and fortifying strong positions at Hickman and Chalk Bluffs. To this communication the Legislature replied, that his message, and one from Governor Harris of Tennessee, had been referred to a special committee. The Tennessee oligarch wrote: "The Confederate troops that landed at Hickman last night, did so without my knowledge and consent, and, I am confident, also without the consent of the President. I have telegraphed President Davis, requesting their immediate withdrawal."

Military Plot and Counter-plot.

Grant resolved not to await the invitation extended by Governor Harris to General Polk to abandon Kentucky soil, but to compel the evacuation of Hickman by counter-occupancy.



Military Plot and  
Counter-plot.

On the morning of the 6th, he was in Paducah, Kentucky, with two regiments of infantry, one battery and two gun boats. He found many rebel flags flying in different parts of the city, in expectation of the arrival of the Southern army, which was reported three thousand eight hundred strong, sixteen miles distant. Loyal citizens tore down the rebel flags on the arrival of our troops. Grant took possession of the telegraph office, railroad depot and the Marine Hospital. He found large quantities of complete rations and leather for the Southern army. The following proclamation was immediately published:

"I have come among you not as an enemy but as your fellow citizen. Not to maltreat or annoy you, but to respect and enforce the rights of all loyal citizens. An enemy in rebellion against our common Government, has taken possession of and planted his guns on the soil of Kentucky and fired upon you. Columbus and Hickman are in his hands. He is moving upon your city. I am here to defend you against this enemy, to assist the authority and sovereignty of your Government. I have nothing to do with opinions, and shall deal only with armed rebellion and its aiders and abettors. You can pursue your usual avocations without fear. The strong arm of the Government is here to protect its friends and punish its enemies. Whenever it is manifest that you are able to defend yourselves and maintain the authority of the Government and protect the rights of loyal citizens, I shall withdraw the forces under my command.

"U. S. GRANT,

"Brigadier General Commanding."

Polk's forces rapidly congregated, and Columbus was occupied Sept. 7th, by a force of ten infantry regiments, six batteries, and three battalions of cavalry. He gave the Legislature his reasons for this advance. They were, substantially, that he had occupied the points named in anticipation of their occupancy by the Federal forces.

Movements on the  
Eastern border.

While this was the military condition of affairs in the West, the Confederates were not idle in the East. Zolicoffer occupied Cumberland Gap and an advance position in its vicinity, on Kentucky soil, as

early as Sept. 5th. He had not even the pretence of "Federal invasion," in that direction. His movement was an open menace of Kentucky, but designed, more particularly, to cut off East Tennessee from Federal aid. The staunch loyalty to the Union of the vast majority of the people of that section, gave the Confederate chiefs some cause of alarm; and dispositions were made of their forces not only to crush out the Union uprising, but to keep out Federal aid.

These invasions by the Southern army so clearly indicated the rule of the

Kentucky Troops in  
the Field.

bayonet to accomplish Confederate designs, that the Unionists of the State hastened the formation of regiments to fill Kentucky's quota of National forces. Rosseau's brigade was already in the field. Hon. Ja's S. Jackson organized a regiment of cavalry, which was ready for service by Sept. 20th. Other regiments rapidly formed, particularly after General Robert Anderson assumed command of the "Department of Kentucky," Sept. 20th. The Legislature did not long hesitate. Invasion and the occupancy of their soil by the Confederates broke down all barriers and left no time for delay in the choice of their course. The legislators did not hesitate in expressing their loyalty and devotion to the Union.

Sept. 25th an amended bill was introduced in the House, from the Committee on Military Affairs, calling out forty thousand volunteers from one to three years, which was passed by a vote of sixty-seven to thirteen. The Senate concurred by a vote of twenty-one to five. The same day the Senate also passed, by sixteen to ten, a bill providing that Kentuckians who have voluntarily joined the anti-force invading the State, shall be incapable of taking any estate in Kentucky by devise, bequest, or distribution, unless they return to their allegiance within sixty days, or escape from the invaders as soon as possible.

From that moment "neutrality" was ended, and Kentucky was true to her traditions of patriotism and fealty to the Constitution.



## CHAPTER IX.

### FREMONT'S PROCEDURE IN MISSOURI. HISTORY OF HIS "ONE HUNDRED DAYS'" RULE.

Disorganized State of  
Affairs.

THE disaster to our army at Wilson's Creek was preceded by much important political action. The reorganization of the State Executive [see page 293] did not result in a peaceful acquiescence by the Secessionist element. Jackson's emissaries were both alarmed and maddened at the deposition of their chief. Soon, the entire area of the State became the seat of a relentless and distressing guerrilla war, which the want of arms and of military organization prevented the Unionists from putting down. Fremont addressed himself to a suppression of the bands of villains roaming every where in quest of plunder and blood; but, the heavy demands made for field forces to cope with the organized armies of Pillow, Price and McCullough, left him but small means for chasing out the ruffian freebooters. August 5th. Governor Gamble was constrained to issue a proclamation for the arrest and punishment of the guerrillas. As it illustrates the state of affairs at its date, we quote:

Governor Gamble's  
Proclamation.

"I do hereby strictly charge and enjoin upon all sheriffs, and other magistrates who are conservators of the peace, to use all the powers conferred upon them by law in arresting and bringing to punishment all persons who disturb the public peace by using violence against any of their fellow citizens; and especially are you charged to bring to justice all who combine to practice violence against other persons on account of their political opinions; and if force should be employed to resist you in the discharge of your duties to an extent that you cannot overcome, by the means provided by law, you are charged to make known that fact to this department, that proper measures may be taken in such cases. It is enjoined on all citizens that they perform the duty of giving information of deposit of munitions of war belonging to the State, that they

may come to the possession of the State without being captured by the United States. It is further enjoined on all citizens of suitable age, to enroll themselves in military organizations, that they may take part in the defense of the State. All citizens who are embodied under the act of the last Assembly, commonly called the Military law, are notified that the act has been abrogated, the troops disbanded, and the act of the same session for the appointment of a Major-General has been annulled and all soldiers are enjoined to cease acting in military capacity. If those citizens who, at the call of the late Governor, have taken up arms, choose to return voluntarily to their homes, to the peaceful pursuit of their occupations, they will find in the present Executive a determination to afford them all the security in his power, and there is no doubt entertained that they will be unmolested. The officers and their troops of the Confederate States who have invaded Missouri, are notified that it is against the will of the people of Missouri that they should continue on the soil of the State, and that their continuance in Missouri will be considered an act of war, designed to bring upon our State the horrors of war, which Missouri wishes to avoid. They are, therefore notified to depart at once from the State."

This heralded a strong effort in Northern Missouri to place that section under

Martial Law in  
Northern Missouri

martial law. The county seats of Warren, Montgomery, Lincoln, Calloway, Andra, Pike, Rollo, Monroe, Randolph, Howard, Mason, Shelby, Marion, Lewis, Knox, Lyon, Scotland, Clark and Livingston counties, was arranged, should be occupied by the Union forces. The occupation comprised the following features:

"The commanding officers of the forces will point committees of public safety from the responsible citizens of the county, whose duty it shall be to preserve the peace in their respective counties. Each committee shall consist of not more than five



Martial Law in  
Northern Missouri.

persons, and whenever it can be conveniently done the county officers shall be elected members. No one thus appointed shall be permitted to decline, or shall fail to perform the duties, under such penalties as the Commanding-General shall affix. These committees are charged, according to orders issued by General Pope, with maintaining peace and order in their respective counties, and shall have power to call out the citizens of the county, to assemble at such time and place and in such numbers as may be necessary to secure these objects. Any one who shall refuse to obey such call will be turned over to the military authorities. If the people of the counties respectively are not able or willing to enforce the peace among themselves, and to prevent the organizing of companies to make war upon the United States, the military force will perform the service, but the expenses must be paid by the county in which such service is necessary. To secure their prompt payment a levy of a sufficient amount of property will be made by the officer in command.

"On the call of a majority of the Committee of Safety in each county, troops will be sent to keep the peace, but as such expeditions are for the benefit of the people concerned—who have in nearly every case the power to discharge the service themselves—the troops will be quartered upon them and be transported by the county in the manner specified above, the whole period it may be necessary for them to remain.

"If, in consequence of a disturbance not reported by the Committee, the General commanding finds it necessary to send a force into any county to restore order, they will be, in like manner, billeted upon the county, unless the combinations against the peace are too powerful to be resisted, or the parties engaged in them were organized in other counties, and brought on the disturbance by actual invasion. It is not believed that the first case can arise in any county of North Missouri, and in the second, the forces will be marched into the county or counties where the marauding parties were organized, or from wherever they made the invasion, and will in like manner be quartered on them. If peace and good order are preserved the troops will not be required. When they are disturbed they will be restored at the expense of the county.

"To preserve the peace is the duty of all good citizens, and so all will alike suffer from the breach of it. Men of every shade of political opinion can act together in the discharge of a duty as full of interest to one as another. All persons who have hitherto been led away to take up arms against the United States are notified that by returning and

laying down their arms at the nearest military post, and by performing their duty hereafter as peaceful and lawful and law-abiding citizens, they will not be molested by military forces, nor, so far as the General commanding can influence in the matter, will they be subjected to punishment, unless they have committed murder or some other aggravated offense."

All these rapid and stringent regulations bid fair to secure the peace of Northern Missouri; while the progress of Lyon southward, gave hopes of a defeat of the rebel armies organized for the invasion of the States by way of Springfield—a hope soon doomed to a bitter disappointment.

The absconding Governor Jackson, and Lieutenant-Governor Reynolds, were co-operating with the Confederate authorities during the latter part of July and the early part of August to secure the means of overrunning the State. Reynolds issued his proclamation as "acting Governor," in the absence of Jackson, dated New Madrid, July 31st, in which he advised the people of Missouri, among other things:

Lieut. Governor Reynolds' Proclamation.

"In an address to you on the 8th inst., I stated that, on a proper occasion and at a proper time, our brethren of the South would extend us efficient aid in our struggle for our liberties. That occasion and that time have arrived. The sun which shone in its full midday splendor at Manassas is about to arise upon Missouri. At the instance of Governor Jackson, expressed through Major E. C. Cabell, of St. Louis, Commissioner of Missouri to the Confederate States, and in gratification of the wish which during the last two months I have labored to accomplish, I return to the State to accompany, in my official capacity, one of the armies which the warrior statesman, whose genius now presides over the affairs of our half of the Union, has prepared to advance against the common foe. In thus doing justice to the warm and active sympathy of the President and people of the Confederate States for our cause, I also feel bound to allude to the very essential aid rendered us by Major Cabell. As our Commissioner, he has displayed at Montgomery and Richmond a zeal and ability in our behalf which deserve the very highest praise. He remains at Richmond to represent our interests. It gives me great pleasure thus publicly to acknowledge his important services."

The proclamation then proceeded, at some length, to cite, in the sounding sentences so



Lieut. Governor Reynolds' Proclamation.

peculiar to Southern documents, and with the falsity of statement so habitual to Southern dignitaries, from Davis down to Wigfall and George Sanders, the history of events which had necessitated the advance of the army of the "gallant Pillow." His rhodomontade ended with the following appeal:

"Citizens of Missouri: In this decisive crisis of our destiny, let us rally as one man to the standard of our State. The inscription on the border of Missouri's shield warns us against division among ourselves. 'United we stand, divided we fall.' I particularly address myself to these who, though Southerners in feeling, have permitted a love of peace to lead them astray from the State cause. You now see the State authorities about to assert with powerful forces their constitutional rights; you behold the most warlike preparation on the globe, the people of the lower Mississippi valley, about to rush with their gleaming bowie-knives and unerring rifles to aid us in driving out the abolitionists and their Hessian allies. If you cordially join our Southern friends the war must soon depart Missouri's borders; if you still continue either in apathy or in indirect support of the Lincoln government, you only bring ruin upon yourselves by fruitlessly prolonging the contest. The road to peace and internal security is only through union with the South. We will receive you as brothers, and let bygones be bygones; rally to the Stars and Bars in union with our glorious ensign of the Grizzly Bear."

Governor Jackson reappeared by his "Declaration of Independence," issued also from New Madrid, August 5th. It was published as a reply to the "Address" promulgated by the Convention [see pages 293-94] to the people in vindication of its action in deposing Jackson and reorganizing the State Government. Jackson's "Declaration" especially addressed itself to a vindication of his own course. Having the two documents before him the reader will be able to form his own estimate of their merits. [The "Declaration" is given at length in the Appendix.]

As stated by Reynolds, Pillow was in possession of New Madrid. Jeff. Thompson's army of about six thousand men was above New Madrid, in Mississippi county. It was announced that the rebel plan was "to keep up a threat to attack Cairo and Bird's Point, so as to keep the Union troops there employ-

ed, menace General Lyon in Southwest Missouri by threats of attack from Gen-

The Military Programme.

erals Price and Rains, while the forces at New Madrid and Pocahontas effect a junction at Pilot Knob, and from thence march on St. Louis, take it, reinstate Governor Jackson and, with this city as a base of operations, wrest Missouri from the General Government. If this really was the enemy's programme, Fremont's disposition of his forces was such as to meet them at the points menaced, St. Louis and Cairo, rather than to cope with them in the field until his strength would seem to justify an attitude of offense. St. Louis like Washington, was a point of too much importance to be left in peril; and the Commanding-General proceeded, with all haste, to place it in a state of defense by the erection of batteries and earth-work forts at several covering points. He also massed troops there, forming a camp of general rendezvous, where his reviews, if they did not vie with those of the Commanding-General of the East, still presented a pageant the like of which few persons ever had witnessed. Arms, ordnance and stores came in, by August 25th, in heavy instalments, from the East, by express trains. Men flocked to the "Patriot's" standard, in vast numbers, from every State of the Northwest. The levee swarmed with steamers hurrying in and out accomplishing Fremont's orders. The city became a vast arsenal and barracks, where men of thirty nationalities swelled the Union ranks. It was a sudden creation of an army. Had the General been as fortunate in making use of his men as in gathering them, he would have whipped treason out of Missouri, and have sent consternation to the rebel heart throughout the entire Mississippi valley, while the General in the East was preparing to take Manassas.

The defeat (Aug. 10th) of Lyon, at Wilson's Creek, and the retreat of the Union army from Southwestern Missouri to Rolla, left the way open for McCullough and Price to march upon Jefferson. They were somewhat slow in availing themselves of their great advantage, but the dismal forebodings of gallant Lyon were verified; his rapid conquests were lost, and the Unionists of all t



Disastrous Result of  
Lyon's Defeat.

portion of the State lying  
south and west of Rolla  
were made to feel the iron

heel of the despot. Thousands of men, women and children fled from their homes—abandoning all to the cut-throats from Arkansas and Texas rather than submit to their atrocious mercy. More fortunate than the Unionists of East Tennessee in having had the opportunity of escape, they still were great sufferers by that melancholy retreat.

Could Fremont have reenforced Lyon and have saved Missouri from the great disasters which followed? The question arose when it was known that the brave and true hearted Lyon had fallen a sacrifice in the effort to stay the tide of rebel invasion. Fremont had, at his call, about twenty-three thousand troops by August 1st. These men were chiefly raw volunteers, who had seen little or no service. Only about one third of them were armed and equipped. The three months volunteers were rapidly disbanding, and, as a consequence, more or less affected the new regiments with a spirit of disorganization. Treason lurked every where throughout the State. Any moment might witness the uprising of Jackson's friends and supporters, and Cairo,\* at any hour, might be assailed by the rebels then in force at New Madrid and Hickman. Fremont's position was one of peril, demanding the exercise of extraordinary energy. He thus stated his case to the President.

We quote the document, since it is used by himself in his own justification.†

Fremont's Call for  
Help.

"HEADQUARTERS WESTERN DEPARTMENT. }  
"[Unofficial.] ST. LOUIS, July 30th, 1861. }

"MY DEAR SIR: You were kind enough to say that as occasions of sufficient gravity arose, I might send you a private note.

"I have found this command in disorder, nearly

\* Fremont had been assigned the command of Illinois and Kentucky. Cairo was, therefore, in his Department.

† See also letters of Colonel Harding and General Prentiss as cited in the evidence submitted to the Investigating Committee. Colonel Harding's letter of July 21st, gives a full and clear statement of the state of affairs up to the date of Fremont's arrival in St. Louis.

every county in an insurrectionary condition, and the enemy advancing in force by different points of the Southern frontier.

Fremont's Call for  
Help

Within a circle of fifty miles around General Prentiss, there are about twelve thousand of the Confederate forces, and five thousand Tennesseans and Arkansas men, under Hardee, well armed with rifles, are advancing upon Ironton. Of these two thousand are cavalry, which yesterday morning were within twenty-four hours march of Ironton. Colonel Bland, who had been seduced from this post, is falling back upon it. I have already reenforced it with one regiment, sent on another this morning, and fortified it. I am building the railroad to Ironton and that to Rolla, so securing our connections with the South. Other measures, which I am taking, I will not trust to a letter, and I write this only to inform you as to our true condition, and to say that if I can obtain the material aid I am expecting, you may feel secure that the enemy will be driven out and the State reduced to order. I have ordered General Pope back to North Missouri, of which he is now in command. I am sorely pressed for want of arms. I have arranged with Adams' Express Co. to bring me everything with speed, and will buy arms to-day in New York. Our troops have not been paid, and some regiments are in a state of mutiny, and the men whose term of service is expired generally refuse to enlist. I lost a fine regiment last night from inability to pay them a portion of the money due. The regiment had been intended to move on a critical post last night. The Treasurer of the United States has here \$300,000 entirely unappropriated. I applied to him yesterday for \$100,000 for my Paymaster-General Andrews, but was refused. We have not an hour for delay. There are three courses open to me. One, to let the enemy possess himself of some of the strongest points in the State, and threaten St. Louis, which is insurrectionary. Second: To force a loan from secession banks here. Third: To use the money belonging to the Government, which is in the Treasury here. Of course, I will neither lose the State nor permit the enemy a foot of advantage. I have infused energy and activity into the Department, and there is a thorough good spirit in officers and men. This morning I will order the Treasurer to deliver the money in his possession to General Andrews, and will send a force to the Treasury to take the money, and will direct such payments as the exigency requires. I will hazard everything for the defense of the Department you have confided to me, and I trust to you for support.

"With respect and regard, I am yours truly,

"J. C. FREMONT, Maj. Gen. Commanding.

"TO THE PRESIDENT OF THE UNITED STATES."



This, we believe, did not paint the picture too strongly. The peril was great and the means of immediate defense were inadequate. An enterprising enemy could, at any time, precipitate forces upon Cairo sufficient to carry and to retain that most important position, thus menacing St. Louis and arresting the navigation of the Ohio and Mississippi rivers. That danger Fremont first confronted, with all his energies. "Lyon could re-

Fremont and Lyon.

treat, but the position at Cairo could *not* be abandoned," said the General. He further added: "The question of holding Cairo was one which involved the safety of the whole Northwest. Had the taking of St. Louis followed the defeat of Manassas, the disaster might have been irretrievable, while the loss of Springfield, should our army be compelled to fall back upon Rolla, would only carry with it the loss of a part of Missouri—a loss greatly to be regretted, but not irretrievable. Having reenforced Cape Girardeau and Iron-ton by the utmost exertions, I succeeded in getting together and embarking with a force of 3,800 men five days after my arrival in St. Louis."

He returned to St. Louis Aug. 4th, "to provide reenforcements for General Lyon." "I did not accept" Fremont says in his defense, "Springfield as a disaster belonging to my administration. Causes wholly out of my jurisdiction had already prepared the defeat of General Lyon, before my arrival at St. Louis. His letter to me on the 9th August, with other papers annexed, will show that I was already in communication with him, and that he knew his wants were being provided for. It will be seen that I had all reasonable expectations of being able to relieve him in time, and had he been able to adhere to the course indicated in his letter, a very short time would have found him efficiently sustained:"

"SPRINGFIELD, Mo., Aug. 9th, 1861.

"GENERAL: I have just received your note of the 6th inst., by special messenger.

"I retired to this place, as I have before informed you, reaching here on the 5th. The enemy followed to within ten miles of here. He has taken a strong position, and is recruiting his supplies of horses, mules and provisions, by forages into the surround-

ing country; his large force of mounted men enabling him to do this without much annoyance from me.

"I find my position extremely embarrassing, and am at present unable to determine whether I shall be able to maintain my ground or forced to retire. I shall hold my ground as long as possible, though I may, without knowing how far, endanger the safety of my entire force with its valuable material, being induced, by the important considerations involved, to take this step. The enemy yesterday made a show of force about five miles distant, and has doubtless a full purpose of making an attack upon me.

"Very respectfully, your obedient servant,

"N. LYON, Brig. Gen. Vols. Commanding.

"Major-General J. C. FREMONT, Commanding Western Department, St. Louis, Mo."

This is Fremont's only defense in the matter. Let

Fremont and Lyon.

the reader judge if it is valid. Lyon was killed August 10th, and the entire Southern western section of the State was lost. Had Generals Pillow and Polk followed up the rebel success in that section by sudden advances, it is conceded that nothing but but generalship on their part would have led the Unionists Cairo and St. Louis. Fremont's energy at least saved these points. His activity led the rebels to believe him greater stronger than he really was—thus holding both Price and Pillow in check.

But, Lyon's defeat opened the way for Price and McCullough into Central Missouri. Fremont at once addressed himself to meeting the advance, and to completing the fortifications of St. Louis projected by General Lyon. Extraordinary danger demanded extraordinary measures. Contracts were given for the work on the excavations and embankments of the forts which, in ordinary time would have been deemed outrageous in price, but, what was money in a moment of peril like that? Purchases of arms were made which, afterwards, were cited as an evidence

\* The enemies of Fremont used the *price* paid for work on the fortifications and for the muskets, one of the chief weapons to effect his deposition. It was a low proceeding, at best, to weigh cost in balance with the public peril. The charges of "incompetency," it would appear from the showing of evidence made by the Investigating Committee, were only an *incidental* citation.



of Fremont's complicity with contractors to rob the National Treasury; but, he is worse than a detractor who will say the Austrian muskets secured were not worth more than all their cost when twenty thousand men were standing before an enemy totally unprepared for the field.

Fremont's Plans for  
Defense.

Fremont's plans of defense against the victorious Confederates were, as stated by himself: "On the 13th of August intelligence of the battle of Wilson's Creek reached me at St. Louis. In expectation of an immediate advance by the enemy, I informed the President and Governors of the neighboring States, requesting that all the disposable force that could be spared should be sent at once to Missouri. Fortunately, dissension in the camp of the enemy prevented them from using that success, and gave time, which I used, to carry on as rapidly as possible the plan I had adopted for the defense of the State. This was to fortify Girardeau, Iron-ton, Rolla and Jefferson City, with St. Louis as a base, holding these places with sufficient garrisons, and leaving the army free for operations in the field."

The disaster which fell upon our arms at Lexington came to add force to the tide setting in against Fremont. Previous to it (August 31st,) was issued the somewhat celebrated proclamation, placing the State under martial law—setting free all slaves of disloyal men—confiscating the property, real and personal, of all persons who had taken,

Fremont's Proclama-  
tion of Freedom.

or should take, up arms against the Government, &c., &c. This stringent, but thoroughly warlike, document read as follows:

"HEADQUARTERS OF THE WESTERN DEP'T, }  
ST. LOUIS, August 31st. }

"Circumstances, in my judgment, of sufficient urgency, render it necessary that the Commanding-General of this department should assume the administrative power of the State. Its disorganized condition, the helplessness of the civil authority, the total insecurity of life, and the devastation of property by bands of murderers and marauders, who infest nearly every county in the State, and avail themselves of the public misfortunes and the vicinity of a hostile force to gratify private and neighborhood vengeance, and who find an enemy

wherever they find plunder, finally demand the severest measures to repress the daily

Fremont's Proclama-  
tion of Freedom.

increasing crimes and outrages which are driving off the inhabitants and ruining the State. In this condition the public safety and the success of our arms require unity of purpose, without let or hindrance to the prompt administration of affairs.

"In order, therefore, to suppress disorders, to maintain as far as now practicable the public peace, and to give security and protection to the persons and property of loyal citizens, I do hereby extend and declare established, martial law throughout the State of Missouri. The lines of the army of occupation in this State are for the present declared to extend from Leavenworth by way of the posts of Jefferson City, Rolla and Iron-ton, to Cape Girardeau, on the Mississippi river. All persons who shall be taken with arms in their hands within these lines shall be tried by court martial, and, if found guilty, will be shot. The property, real and personal, of all persons in the State of Missouri, who shall take up arms against the United States, or who shall be directly proven to have taken active part with their enemies in the field, is declared to be confiscated to the public use; and their slaves, if any they have, are hereby declared free men.

"All persons who shall be proven to have destroyed, after the publication of this order, railroad tracks, bridges, or telegraphs, shall suffer the extreme penalty of the law.

"All persons engaged in treasonable correspondence, in giving or procuring aid to the enemies of the United States, in disturbing the public tranquility by creating and circulating false reports or incendiary documents, are in their own interest warned that they are exposing themselves.

"All persons who have been led away from their allegiance are required to return to their homes forthwith; any such absence, without sufficient cause, will be held to be presumptive evidence against them.

"The object of this declaration is to place in the hands of the military authorities the power to give instantaneous effect to existing laws, and to supply such deficiencies as the conditions of war demand. But it is not intended to suspend the ordinary tribunals of the country, where the law will be administered by the civil officers in the usual manner and with their customary authority, while the same can be peaceably exercised.

"The Commanding-General will labor vigilantly for the public welfare, and in his efforts for their safety, hopes to obtain not only the acquiescence but the active support of the people of the country.

"(Signed,) J. C. FREMONT, Maj. Gen. Com."



Its Reception by the  
People.

What a storm this mandate raised! It was as if a new element had been introduced into the contest. So leniently had the Administration treated those guilty of treason, that it was not deemed at all dangerous to person or property to take up arms against the country. Our Generals had, unasked, made overtures to suppress all "insurrections" of slaves, and had otherwise volunteered protection to rebel property. No bridge-burner, no assassin, no spy, no deserter had been shot—no property confiscated! There was no certain penalty attached to disloyalty, nor any reward extended for loyalty. The world never before witnessed such an anomalous proceeding—fighting an enemy, yet volunteering protection and immunities which made the armed men of the Union army servants of traitors, and agents of officers whose loyalty was qualified with an *if*. No wonder the "conservative" men were startled. Here was a real, royal throwing down of the gauntlet—a proclamation of war on war principles—an acknowledgement that it was necessary to conquer in order to subdue.

Opposition to the  
Proclamation.

It is one of the novel and interesting phases of the War for the Union that great numbers of persons, of eminence as guides of public opinion, received this proclamation with such marks of disfavor as to press the Administration very strenuously for its nullification. It ever will be regarded as one of the anomalies of the time that an unrelenting and implacable enemy, who scorned the Constitution—violated every rule of civilized warfare by robbery, murder and pillage—scouted every offer of mercy—broke every oath of allegiance and parole, should have been deemed "citizens" whose "Constitutional" rights could not be "violated." *Constitutional rights!* Why, under the Constitution, they were all guilty of *high treason*; and any constitutionalist, claiming protection for enemies and traitors, became, by the *lex scripta*, a party to treason—he gave aid and comfort to a common enemy. Unquestionably the "conciliatory" course pursued was from the best of motives—to retain the Border States and to reclaim the recusant Confederates by a

policy which left the States, as such, unharmed—punishing the rebels by meeting them on the field according to the most humane rules of warfare. But, that it was a misdirected generosity, the bloody page of 1862 will stand as a blasting witness; and when the President at length proclaimed *his* decree of confiscation and emancipation, he simply approved of Fremont's proclamation of August 31st. Fremont's error was in anticipating the Administration; yet, history will sit in judgment to write its approval of the General's firm, judicious and comprehensive conception of his mission.

During the latter part of August troops began to pour into St. Louis and Northern Missouri in great numbers. The camp of rendezvous at St. Louis presented a stirring appearance. Every where were the signs of energetic preparation. The Confederate forces under Price and McCullough were slowly making their way North, leaving devastation in their track. Northern and Central Missouri swarmed with men, women and children fleeing before the Vandal horde which came as the "liberating army." It is charged that Fremont was not equal to the emergency, in that he allowed the rebels to progress so far as to strike the Missouri river at Lexington. His defense was the same as that urged for the non-reinforcement of Lyon. If able to throw forward ten thousand men to fill up Lyon's fast dissolving ranks, he could have contested every inch of ground from Wilson's Creek to Jefferson City. As he did not so confront the invaders, the way was open for his adversaries; and soon it became evident that the line of the river was to be assailed. Jefferson City was supposed to be the destination of Price's division, while McCullough menaced Rolla and the lines converging upon St. Louis, thus to keep the regiments at Rolla employed. Martin Greene, the guerilla, with two thousand well mounted desperadoes, was pursuing his rapid raids to the north of the capital, defying Pope and out-running Hurlbut, ready for any sudden dash which might disconcert the militia, Home Guards and Federal forces scattered throughout the Northern counties. A sense of insecurity prevailed along the Missouri river which found its way



The Rebel Invasion.

to St. Louis: a distrust of Fremont's capacity began to be entertained and loudly expressed. Thus, a letter in the "*Missouri Democrat*," St. Louis, from Jefferson City, September 8th, said:

"We lie on our oars discussing the probability of Jefferson City being taken. Why should Jefferson City be in any more danger than New York? We are only 125 miles from headquarters. We talk about restoring peace to these miserable counties, and yet are not secure even of the positions from which we are to send them aid. What is the matter? Out with it. In God's name, how long is this to last?"

"But it is a bitter thing to have to chronicle no victories of Union men. Since the death of Lyon, and the scandalous evacuation of the Southwest, the whole country is over-ridden. The declaration of martial law is so much waste rhetoric, where there are no means provided for its enforcement."

As this journal was, editorially, a warm supporter of Fremont, it gave the letter place from no enmity or desire to increase the growing feeling. It was indicative of the set of the popular current.

Generals Price, and Rains, after several movements calculated to mislead the Unionists, suddenly appeared in heavy force at Warrensburg, thirty miles from Lexington, en route for the latter place. Preliminary to their approach, St. Joseph had been captured by the rebels, thus cutting off communication with the regiments in Kansas. Fremont's

forces, as stated by himself under date of Sept. 14th,

were, in numbers, and disposed, as follows:

St. Louis (including Home Guard) .....	6,890
Under Brig. Gen. Pope (including Home G'd) .....	5,483
Lexington (including Home Guard) .....	2,400
Jefferson City (½ Home Guard) .....	9,677
Rolla .....	1,700
Ironton .....	3,057
Cape Girardeau .....	650
Bird's Point and Norfolk .....	3,510
Cairo (including McClernand's Brigade) .....	4,826
Fort Holt, opposite Cairo, Kentucky shore ....	3,595
Paducah .....	7,191
Under Gen. Lane .....	2,200
Memphis City, near Cairo .....	900

Giving a total of 55,693—not a great army, when we consider its wide-spread dispersion, stretching from Paducah and Cairo to Lexington.

To cover Lexington Fre-

mont ordered Colonel Mul-

ligan, with his "Irish bri-

gade," to proceed thither.

That stirring officer started immediately after the reception of the order, Sept. 1st, from his camp at Jefferson City. Colonel Marshall's cavalry (Illinois) was to join him, with Colonel White's Home Guards, while Colonel Peabody (Thirteenth Missouri) was to fall back upon Lexington from Warrensburg, if pressed by the enemy. In the meantime, General Sturgis was to move down from Kansas city with his entire disposable force (1,500) to the reenforcement of Lexington, while General Lane was to press forward from Harrisonville and assail Price from that direction. These movements, it was thought by Fremont, would so employ the enemy as to keep him at bay until he (Fremont) could come forward with his own forces from St. Louis and vicinity.

Mulligan did his part. By a forced march of ten days his troops reached Lexington, having foraged by the way for rations. At Lexington he found Colonel Marshall with his cavalry and Colonel White's Home Guards—each command about five hundred strong. Colonel Peabody soon came in, pressed back by the enemy advancing upon Lexington from Warrensburg. The Federal troops had not long to wait, for, on the afternoon of September 11th, the rebels under Price, in person, appeared off the town. Then followed a conflict, memorable in the annals of the war for the heroism of the defense made by the Unionists. No account of the battle, or rather "siege" and series of battles, presents a more vivid and apparently correct delineation of the three days' struggle than that made by the Colonel commanding, after his release on parole. We reproduce so much of it as will give the reader a good idea of that obstinately contested field of battle.

"On the 18th of September, a letter arrived from Colonel Peabody, saying that he was retreating from Warrensburg, twenty-five miles distant, and that Price was pursuing him with ten thousand men. A few hours afterward, Colonel Peabody, with the Thirteenth Missouri, entered Lexington. We then had two thousand seven hundred and eighty men in garrison and forty rounds of cartridges. At noon of the 11th we commenced throwing up our first intrenchments. In six hours afterwards, the enemy

Mulligan's Advance  
to Lexington.



Mulligan's Defense of  
Lexington.

opened their fire. Colonel Peabody was ordered out to meet them. The camp then presented a lively scene; officers were hurrying hither and thither, drawing the troops in line and giving orders, and the Commander was riding with his staff to the bridge to encourage his men, to plant his artillery. Two six-pounders were planted to oppose the enemy, and placed in charge of Captain Dan. Quirk, who remained at his post till day-break. It was a night of fearful anxiety. None knew at what moment the enemy would be upon the little band, and the hours passed in silence and anxious waiting. So it continued until morning, when the Chaplain rushed into headquarters, saying that the enemy were pushing forward. Two companies of the Missouri Thirteenth were ordered out, and the Colonel, with the aid of his glass, saw General Price urging his men to the fight. They were met by Company K, of the Irish brigade, under Captain Quirk, who held them in check until Captain Dillon's company, of the Missouri Thirteenth, drove them back and burned the bridge. That closed our work before breakfast. Immediately six companies of the Missouri Thirteenth and two companies of Illinois cavalry were despatched in search of the retreating enemy. They engaged them in a cornfield, fought with them gallantly, and harassed them to such an extent as to delay their progress, in order to give time for constructing intrenchments around the camp on College Hill. This had the desired effect, and we succeeded in throwing up earthworks three or four feet in height. This consumed the night, and was continued during the next day, the outposts still opposing the enemy, and keeping them back as far as possible. At three o'clock in the afternoon of the 12th, the engagement opened with artillery. A volley of grapeshot was thrown among the officers, who stood in front of the breastworks. The guns within the intrenchments immediately replied with a vigor which converted the scene into one of the wildest description. The gunners were inexperienced, and the firing was bad. We had five six-pounders, and the musketry was firing at every angle. Those who were not shooting at the moon were shooting above it. The men were ordered to cease firing, and they were arranged in ranks, kneeling, the front rank shooting and the others loading. The artillery was served with more care, and within an hour a shot from one of our guns dismounted their largest piece, a twelve pounder, and exploded a powder caisson. This achievement was received with shouts of exultation from the beleagured garrison. The enemy retired a distance of three miles. At seven o'clock the engagement had ceased, and Lexington was ours again. Next morn-

ing General Parsons, with ten thousand men at his back, sent in a flag of truce to a little gar-

Mulligan's Defense of  
Lexington.

rison of two thousand seven hundred men, asking permission to enter the town and bury his dead, claiming that when the noble Lyon went down, his corpse had fallen into his hands, and he had granted every privilege to the Federal officers sent after it. It was not necessary to adduce this as a reason why he should be permitted to perform an act which humanity would dictate. The request was willingly granted, and we cheerfully assisted in burying the fallen foe. On Friday the work of throwing up intrenchments went on. It rained all day, and the men stood knee deep in the mud, building them. Troops were sent out for forage, and returned with large quantities of provisions and fodder. On Friday, Saturday and Sunday, we stole seven days' provisions for two thousand seven hundred men. We had found no provisions at Lexington, and were compelled to get our rations as best we could. A quantity of powder was obtained, and then large cisterns were filled with water. The men made cartridges in the cellar of the college building, and cast one hundred and fifty rounds of shot for the guns, at the foundries of Lexington. During the little respite the evening gave us, we cast our shot, made our cartridges, and stole our own provisions. We had stacks of forage, plenty of hams, bacon, &c., and felt that good times were in store for us. All this time, our pickets were constantly engaged with the enemy, and we were well aware that ten thousand men were threatening us, and knew that the struggle was to be a desperate one. Earthworks had been raised breast-high, enclosing an area of fifteen to eighteen acres, and surrounded by a ditch. Outside of this was a circle of twenty-one mines, and still further down were pits to embarrass the progress of the enemy. During the night of the 17th, we were getting ready for the defense, and heard the sounds of preparation in the camp of the enemy for the attack on the morrow. Father Butler went around among the men and blessed them, and they reverently uncovered their heads and received his benediction. At nine o'clock on the morning of the 18th, the drums beat to arms, and the terrible struggle commenced. The enemy's force had been increased to twenty-eight thousand men and thirteen pieces of artillery. They came on as one dark moving mass; men armed to the teeth, as far as the eye could reach—men, men, men, were visible. They planted two batteries in front, one on the left, one on the right, and one in the rear, and opened with a terrible fire, which was answered with the utmost bravery and determination. Our spies had informed us that the rebels intended to



Mulligan's Defense of  
Lexington

make one grand rout, and bury  
us in the trenches of Lexington.

The batteries opened at nine o'clock, and for three days they never ceased to pour deadly shot upon us. About noon the hospital was taken. It was situated on the left, outside of the intrenchments. I had taken for granted, never thought it necessary to build fortifications around the sick man's couch. I had thought that, among civilized nations, the soldier sickened and wounded in the service of his country, would, at least, be sacred. But I was inexperienced, and had yet to learn that such was not the case with the rebels. They besieged the hospital, took it, and from the balcony and roof their sharpshooters poured a deadly fire within our intrenchments. It contained our chaplain and surgeon, and one hundred and twenty wounded men. It could not be allowed to remain in the possession of the enemy. A company of the Missouri Thirteenth was ordered forward to retake the hospital. They started on their errand, but stopped at the breastworks, 'going not out because it was bad to go out.' A company of the Missouri Fourteenth was sent forward, but it also shrank from the task, and refused to move outside the intrenchments. The Montgomery Guard, Captain Gleason, of the Irish brigade, were then brought out. The commander admonished them that the others had failed; and with a brief exhortation to uphold the name they bore, gave the word to 'charge.' The distance was eight hundred yards. They started out from the intrenchments, first quick, then double-quick, then on a run, then faster. The enemy poured a deadly shower of bullets upon them, but on they went, a wild line of steel, and what is better than steel, human will. They stormed up the slope to the hospital door, and with irresistible bravery drove the enemy before them, and hurled them far down the hill beyond. At the head of those brave fellows, pale as marble, but not pale from fear, stood the gallant officer, Captain Gleason. He said: 'Come on, my brave boys,' and in they rushed. But when their brave Captain returned, it was with a shot through the cheek and another through the arm, and with but fifty of the eighty he had led forth. The hospital was in their possession. This charge was one of the most brilliant and reckless in all history, and to Captain Gleason belongs the glory. Each side felt, after this charge, that a clever thing had been done, and the fire of the enemy lagged. We were in a terrible situation. Towards night the fire increased, and in the evening word came from the rebels that if the garrison did not surrender before the next day, they would hoist the black flag at their cannon and give us no quarter. Word was sent back that

'when we asked for quarter it  
would be time to settle that.'

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Lexington.

It was a terrible thing to see those brave fellows mangled, and with no skillful hands to bind their gaping wounds. Our surgeon was held with the enemy, against all rules of war, and that, too, when we had released a surgeon of theirs on his mere pledge that he was such. Captain Moriarty went into the hospital, and, with nothing but a razor, acted the part of a surgeon. We could not be without a chaplain or surgeon any longer. There was in our ranks a Lieutenant Hickey, a rollicking, jolly fellow, who was despatched from the hospital with orders to procure the surgeon and chaplain at all hazards. Forty minutes later and the brave Lieutenant was borne by, severely wounded. As he was borne past I heard him exclaim, 'God have mercy on my little ones!' And God did hear his prayers, for the gay Lieutenant is up, as rollicking as ever, and is now forming his brigade to return to the field. On the morning of the 19th the firing was resumed and continued all day. We recovered our surgeon and chaplain. The day was signalized by a fierce bayonet charge upon a regiment of the enemy, which served to show them that our men were not yet completely worried out. The officers had told them to hold out until the 19th, when they would certainly be reinforced. Through that day our little garrison stood with straining eyes, watching to see if some friendly flag was bearing aid to them—with straining ear, awaiting the sound of a friendly cannonade. But no reinforcements appeared, and, with the energy of despair, they determined to do their duty at all hazards. The 19th was a horrid day. Our water cisterns had been drained, and we dared not leave the crown of the hill, and make our intrenchments on the bank of the river, for the enemy could have planted his cannon on the hill and buried us. The day was burning hot, and the men bit their cartridges; their lips were parched and blistered. But not a word of murmuring. The night of the 19th two wells were ordered to be dug. We took a ravine, and expected to reach water in about thirty hours. During the night, I passed around the field, smoothed back the clotted hair, and by the light of the moon, shining through the trees, recognized here and there the countenances of my brave men who had fallen. Some were my favorites in days gone past, who had stood by me in these hours of terror, and had fallen on the hard fought field. Sadly we buried them in the trenches. The morning of the 20th broke, but no reinforcements appeared, and still the men fought on. The rebels had constructed movable breastworks of hemp bales, rolled them up the hill, and advanced their batteries



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in a manner to command the fortification. Heated shot were fired at them, but they had taken the precaution to soak the bales in the Missouri. The attack was urged with renewed vigor, and, during the forenoon, the outer breastworks were taken by a charge of the rebels in force. The whole line was broken, and the enemy rushed in upon us. Captain Fitzgerald, whom I had known in my younger days, and whom we had been accustomed to call by the familiar nickname, 'Saxy,' was then ordered to oppose his company to the assailants. As I gave the order, 'Saxy, go in,' the gallant Fitzgerald, at the head of company I, with a wild yell rushed in upon the enemy. The Commander sent for a company on which he could rely; the firing suddenly ceased, and when the smoke rose from the field, I observed the Michigan company, under their gallant young commander, Captain Patrick McDermott, charging the enemy and driving them back. Many of our good fellows were lying dead, our cartridges had failed, and it was evident that the fight would soon cease. It was now three o'clock, and all on a sudden an orderly came, saying that the enemy had sent a flag of truce. With the flag came the following note from General Price :

" 'Colonel: What has caused the cessation of the fight?'

" This was returned with the following reply, written on the back :

" 'General: I hardly know, unless you have surrendered.'

" He took pains to assure me, however, that such was not the case. I learned soon after that the Home Guard had hoisted the white flag. The Lieutenant who had thus hoisted the flag was threatened with instant death unless he pulled it down. The men all said, 'we have no cartridges, and a vast horde of the enemy is about us,' They were told to go to the line and stand there, and use the charge at the muzzle of their guns or perish there. They grasped their weapons the fiercer, turned calmly about, and stood firmly at their posts. And there they stood, without a murmur, praying as they never prayed before, that the rebel horde would show themselves at the earthworks. An officer remarked, 'this is butchery.' The conviction became general, and a council of war was held. And when, finally, the white flag was raised, Adjutant Cosgrove, of your city, shed bitter tears. The place was given up, upon what conditions, to this day, I hardly know or care. The enemy came pouring in. One foppish officer, dressed in the gaudiest uniform of his rank, strutted up and down through the camp, stopped before our men, took out a pair of hand-

cuffs, and holding them up, said, 'Do you know what these are for?' We were placed in

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file, and a figure on horseback, looking much like 'Death on the pale horse,' led us through the streets of Lexington. As we passed, the secession ladies of Lexington came from their houses, and from the fence tops jeered at us. We were then taken to a hotel with no rations and no proprietor. After we had boarded there for some time, we started with General Price, on the morning of the 30th, for 'the land of Dixie.' "

This disaster filled the public mind with indignation against the Commanding-General of the Department. The *emeute* with Colonel Blair had divided opinion greatly as to Fremont's merits and demerits, and the fall of Lexington came to confirm the worst apprehensions excited by his opponents. But, there ever is two sides to a cause. In this instance there soon was forthcoming a mass of evidence which went far toward relieving Fremont of public censure. In his own defense he stated the case thus :

" On the 13th two regiments were ordered from St. Louis to Jefferson City,

Fremont's Explanation  
of Causes.

[Lexington is 240 miles from St. Louis and 115 from Jefferson City], and, in the opinion of General Davis, who was occupied with that place, it was deemed expedient. And, generally, it will be seen, that all possible promptitude was used in sending forward troops to the points threatened along the Missouri river, and meeting, with all our disposable force, the movements of General Price. It will be seen that up to the 13th, Booneville, and not Lexington, was considered the threatened point.

" On the 14th General Sturgis was directed to move, with all practicable speed, upon Lexington. General Pope's dispatch of the 16th gave me every reason to believe, as he did, that a reenforcement of four thousand men, with artillery, would be there in abundant time, and if the Committee will take the time to read the accompanying papers, it will be seen that from every disposable quarter where there were troops the promptest efforts were made to concentrate them on Lexington, but chance defeated these efforts.

" Also on the 14th, in the midst of this demand for troops, I was ordered by the Secre-



Fremont's Explanation of Causes.

tary at War and General Scott to 'send five thousand well-armed infantry to Washington without a moment's delay.'"

This latter statement, made incidentally by others in Fremont's defense, was generally discredited—it seemed so improbable; yet, it was only too true. The sacrifice of movements, of points of desirable occupation, to the insatiable demands of the army before the defenses of Washington, forms one of the most unaccountable episodes of the war. The requisition of course had to be obeyed. The troops were sent, with the following quiet but effective protest:

"HEADQUARTERS WESTERN DEPARTMENT, {  
ST. LOUIS, Sept. 15th, 1861. }

"To Colonel E. D. TOWNSEND, *Asst. Ad. Gen., Headquarters of the Army, Washington, D. C.*

"Reliable information from the vicinity of Price's column shows his present force to be 11,000 at Warrensburg and 4,000 at Georgetown, with his pickets extending to Syracuse. Green is marching for Booneville with probable force of 3,000. Withdrawal of force from this part of the Missouri risks the State; from Paducah, loses Western Kentucky. As the best, I have ordered two regiments from this city, two from Kentucky, and will make up the remainder from the new force being raised by the Governor of Illinois.

"J. C. FREMONT,

"Major-General Commanding."

Were the generalship shown by Fremont good, bad or indifferent,\* the fact remained painfully apparent that the Secessionists were jubilant and the Unionists despondent. The vigor which soon manifested itself, however,

\* Adjutant-General Thomas, in his report (October 21st,) of affairs in the Department pronounced the generalship to have been bad. He stated the case thus:

"No steps having been taken by General Fremont to meet Price in the field, he moved forward his line of march plainly indicating his intention of proceeding to Lexington. When within some thirty-five miles of the place, he remained ten or more days, evidently expecting that some movement would be made against him. None being made he advanced, and, with his much superior force, laid siege to Lexington, which was defended by Mulligan with 2,700 men, on the 12th of September, and captured it in nine days thereafter, on the 21st of September."

He then proceeds to show, by the disposition of forces, that Mulligan could have been reenforced, or Price, being assailed from the west, could be made to retire precipitately. [See Thomas' Report for a full *ex parte* statement of affairs in Missouri.]

in and around St. Louis, restored confidence somewhat, and those clamorous for the Commanding-General's suspension were constrained to await the issue of his first campaign, for which all the preparation possible had been made. One censor said: "He let Springfield, Lexington, and the balance of the State go, to prepare to move on to New Orleans"—a statement so wholly at variance with justice that it only deserves repetition in order to show what a large class were willing to believe. The idea of a movement down the Mississippi *was* entertained, but its fulfilment certainly could not be realized so long as troops were lacking not only for the movement but also for retaining any advance position which might be won.

Sept. 11th it became known that the President had "modified" Fremont's

The President's Action on the Proclamation.

proclamation of confiscation, freedom and punishment. Prior to that date (Sept. 2d,) Mr. Lincoln dispatched an unofficial letter, by private hands, stating his objections to the proclamation. Two points, he said, gave him some anxiety. They were:

"*First*: Should you shoot a man, according to the proclamation, the Confederates would very certainly shoot our best men in their hands, in retaliation; and so, man for man, indefinitely. It is, therefore, my order that you allow no man to be shot, under the proclamation, without first having my approbation or consent.

"*Second*: I think there is great danger that the closing paragraph, in relation to the confiscation of property, and the liberating slaves of traitorous owners, will alarm our Southern Union friends, and turn them against us—perhaps ruin our rather fair prospect for Kentucky. Allow me, therefore, to ask that you will, as of your own motion, modify that paragraph so as to conform to the *first* and *fourth* sections of the Act of Congress, entitled 'An Act to Confiscate Property Used for Insurrectionary Purposes,' approved August 6th, 1861, and a copy of which act I herewith send to you."

The President added: "This letter is written in a spirit of caution, and not of censure. I send it by a special messenger, in order that it may certainly and speedily reach you."

To this note Fremont replied, also by private hands (Sept. 8th), giving his views of matters, yet expressing a desire to conform to the President's wishes. Thereafter the



proclamation was considered a dead letter; and those Unionists who felt keenly the necessity of a firm hand in dealing with treason and assassins became despondent. The President's "anxieties," it seemed to them, had shorn the cause of the traitors of half its dangers and *all* of its penalties.

Price's Retreat.

Price proposed, after his easy capture of the line of the Missouri river, to advance over it to "raise" the Northern counties and to discomfit Pope's forces, then widely scattered; but, the rumors of Fremont's advance in force to Jefferson City, to cut off retreat, hastened the rebel retrograde movement. Lexington was abandoned after a brief occupancy, and Price found himself, technically, in the condition of defeat, although retreating loaded with spoils. Said Fremont, "Except the victory, little advantage resulted to Price from the capture of Lexington, exposed and resting upon a broad river which there was no chance for a large army to cross in case of defeat. As a military position its occupation had no value for him. On the contrary, had I possessed the means of transportation to move forward my troops rapidly I should have been well content to give up Lexington for the certainty of being able to compel Price to give me battle on the north side of the Osage, as he could not cross the Missouri without exposing himself to certain defeat, no other course would have remained open to him. In fact, when I did go forward, the appearance of my advance at Sedalia was the signal for his precipitate retreat." Adjutant-General Thomas reported: "When Lexington fell, Price had under his command 20,000 men, and his force was receiving daily augmentations from the disaffected in the State. He was permitted to gather much plunder, and to fall back toward Arkansas unmolested, until I was at Tipton on the 13th of October; when the accounts were that he was crossing the Osage."

There is so much statement and counter-statement concerning movements and orders after the fall of Lexington, that it is extremely difficult to arrive at the truth, to fix blame where it belongs for the dilatory pursuit of Price, after that pursuit was commenced. General Thomas in the very paragraph of

complaint, from which we have quoted above, said: "Fremont's order to march was issued to an army of nearly 40,000, many of the regiments badly equipped, with inadequate supplies of ammunition, clothing and transportation. With what prospect, it must be inquired, can General Fremont, under such circumstances, expect to overtake a retreating army, some one hundred miles ahead, with a deep river between?"

Deficient transportation, bad equipments, inadequate supplies of ammunition, were obstacles to success which few generals could overcome: if Fremont was responsible for these material shortcomings then he was, indeed, incompetent. That he was not responsible for them is now conceded, even by his enemies.

Fremont left for Jefferson City Sept. 27th. There the forces rendezvoused for several days, preparatory to a march to Tipton and vicinity. The programme as arranged embraced a march into Arkansas. Said Major Dorsheimer, one of Fremont's aids: "The General has determined to pursue Price until he catches him. He can march faster than we can now, but we shall soon be able to move faster than it is possible for him to do. The rebels have no base of operations from which to draw supplies; they depend entirely upon foraging; and for this reason Price has to make long halts wherever he finds mills, and grind the flour. He is so deficient in equipment, also, that it will be impossible for him to carry his troops over great distances. But we can safely calculate that Price and Rains will not leave the State; their followers are enlisted for six months, and are already becoming discontented at their continued retreat, and will not go with them beyond the borders. This is the uniform testimony of deserters and scouts. Price disposed of either by a defeat or by the dispersal of his army, we are to proceed to Bird's Point, or into Arkansas, according to circumstances. A blow at Little Rock seems now the wisest as it is the boldest plan. We can reach that place by the middle of November; and if we obtain possession of it, the position of the enemy upon the Mississippi will be completely turned. The communications of Pillow



Hardee and Thompson, who draw their supplies through Arkansas, will be cut off, they will be compelled to retreat, and our flotilla and the reenforcements can descend the river to assist in the operations against Memphis and the attack upon New Orleans."

The Army  
Organization.

This sets forth the campaign arranged. It settles the point that Fremont

had a plan, and had not abandoned his original idea of an advance down the Mississippi river. The army as organized embraced five divisions, under the commands respectively of Generals Hunter, Pope, Siegel, McKinsty and Asboth. It numbered about thirty thousand men, including five thousand cavalry and eighty-six pieces of artillery—a large number of the guns being rifled. The infantry was not uniformly, but was regarded as effectively, armed, although much distrust was entertained of the Austrian and Belgian muskets with which the "Army of the West" was supplied. They were the only arms obtainable at that time. The cavalry was badly provided—Colonel Carr's regiment having no sabres. The Fremont Huzzars were also deficient in that necessary arm.

The Secretary of War, Mr. Cameron, accompanied by Adjutant-General Thomas and U. S. Senator Chandler, visited the camp at Tipton, October 13th. Their purpose was personally to examine into the condition of things. The Adjutant-General's report to the Secretary of War, made October 30th, was particularly severe on Fremont.\*

\* He said: "General Hunter expressed to the Secretary of War his decided opinion that General Fremont was incompetent, and unfit for his extensive and important command. This opinion he gave reluctantly, for the reason that he held the position of second in command.

"The opinion entertained by gentlemen of position and intelligence, who have approached him is, that he is more fond of the pomp than of the realities of war—that his mind is incapable of fixed attention or strong concentration—that by his mismanagement of affairs since his arrival in Missouri, the State has almost been lost—and that if he is continued in command the worst results may be anticipated. This is the concurrent testimony of a large number of the most intelligent men in Missouri."

The order of march included the forces of Lane and Sturgis, who were to leave Kansas and join Fremont's divisions on the Osage river, Hunter was to march by way of Versailles, McKinsty from Syracuse, Pope from near Booneville, and Siegel from Sedalia. Warsaw was the point of crossing the Osage.

The Commanding-General reached Warsaw October 17th, to find the inde-

Siegel's Advance to  
Warsaw.

fatigable Siegel in possession. Deficient in transportation, he impressed horses, mules, oxen, wagons and "go-carts" of every description, enough to drag his baggage. For his food he foraged along the way, buying, begging, or exacting enough to sustain his men. It was an odd march, but one happily illustrating the German General's qualities as the leader for emergencies.

The Osage was bridged, after five days and nights of extraordinary exertions, and a safe passage thus secured for the army and its trains. October 22d the troops began to pass over. The onward march was not delayed—the several divisions pressing forward as rapidly as the means in their power would permit, Asboth's bringing up the rear. The route pursued was by Bolivar to Springfield. Siegel was on the lead. The zealous German feeling that the defeat at Wilson's Creek was to be redeemed, forgot the pains of the retreat from Springfield in the arduous toils of the advance to reconquer.

The brilliant affair of Fredericktown happened October 21st. It seemed

The Battle of  
Fredericktown.

the precursor of success to Fremont's plans. The rebels were known to be in force at Fredericktown. On the 15th Captain Hawkins, of the Independent Missouri Cavalry, was ordered from Pilot Knob to reconnoitre in that direction. This he did so effectually as to bring on a sharp engagement near the town with the enemy's pickets. He gallantly held his ground all night and the next day, during which time he was unsuccessfully attacked three times. Reenforcements coming forward, consisting of Major Gavitt's Indiana Cavalry and five companies of Colonel Alexander's 21st Illinois, the rebels were pressed and driven in to their permanent lines around the town. There the struggle was brief but



The Battle of  
Fredericktown.

severe and very satisfactory to the Federal forces. It ended by Alexander's withdrawal to await the combined movement on the place from the east and west. On Friday, October 18th, General Grant ordered forward from Cape Girardeau, a strong force under Colonel Plummer, to Fredericktown, to intercept the forces of Jeff. Thompson and Colonel Lowe. The command of Plummer consisted of Marsh's Eighteenth Illinois regiment, a section of Taylor's battery and Stewart's and Lehman's companies of cavalry, all from Cairo; also a part of Plummer's Eleventh Missouri regiment; a part of Ross' Twenty-first Illinois regiment, and a section of Campbell's battery, all from Cape Girardeau. At the same time, Colonel Carlisle was ordered to move forward from Pilot Knob to the same point with his own regiment—the Thirty-eighth Illinois; the Thirty-third Illinois regiment, Colonel Hovey; the Twenty-first Illinois regiment, Colonel Alexander; the Eighth Wisconsin regiment, Colonel Murphy; the First Indiana cavalry, Colonel Baker; Captain Hawkins' Missouri independent cavalry, and four six-pounders and two twenty-four pounders, under Major S. Chatfield, of the First Missouri light artillery. These several bodies made a junction at Fredericktown on the morning of the 21st. The rebels had passed south twenty-four hours previously, about twenty-five hundred strong, but had halted near the town, taking up a good position for a stand. The battle soon followed, the enemy being drawn up in the woods and a flanking field, while their artillery—four eighteen-pounders—covered their front. Major Schofield opened on the guns, and the fight soon became general. It raged with much fury for about two hours, when the rebels retreated in great confusion, leaving about sixty dead on the field—Colonel Lowe being among the number. A hot and effective pursuit was kept up for twenty miles. The enemy was scattered in demoralization. The Federal troops were well handled and fought with the utmost spirit.

This success of the movement against the rebel force occupying the eastern section of the State, was followed quickly by the memorable charge into Springfield, by Fremont's

Body Guard, led by its captain, Zagonyi.

Zagonyi's Charge on  
Springfield.

Before the advance of the Union army the rebel leaders retreated, to the south of Springfield. There they gathered, in great force, all their energies being directed to a stand near that point. Lyon had there been overcome, and the enemy hoped there to deal Fremont a finishing blow, thus again to open the way to St. Louis. Approaching the rebel rendezvous Siegel resolved to "feel" of his old foes, and, if possible, to learn of their disposition and strength. He called to his aid the celebrated "Prairie Scouts," commanded by Major Frank White. This fine mounted troop had but just come in from their recapture of Lexington [see Appendix, for Major White's Report,] when wearied and broken, they were ordered to strike out for the arduous reconnoissance. The Federal advance was then in camp on the Pomme de Terre river, thirty-four miles south of Warsaw and fifty-one north of Springfield. The Major with his troop immediately put out and was on his way when on the 24th (of October) he was joined by Zagonyi, who assumed command of the expedition, by order of Fremont. Zagonyi had with him one half of his Guard, provided with only one ration. The march to Springfield was to be forced, in order that the enemy should be surprised and the place secured before rebel reinforcements could reach it. The combined Scouts and Guard marched all Thursday (October 24th) night; briefly rested Friday morning, then pushed on and were before Springfield at three P. M., on the 25th—the fifty-one miles having been accomplished in eighteen hours.

Eight miles from Springfield five mounted rebels were caught; a sixth escaped and alarmed the forces in the town, whose strength, Zagonyi learned from a Union farmer, was fully *two thousand* strong. Nothing was left but a retreat or bold dash. Zagonyi did not hesitate. His men responded to his own spirit fully, and were eager for the adventure, let it result as it would. Major White was so ill from over work that, at Zagonyi's entreaty, he remained at a farm house for a brief rest. The farmer offered to pilot the Body Guard around to the Mount Vernon



Zagonyi's Charge on  
Springfield.

approach on the West—  
hoping to effect a surprise  
in that direction, as the

enemy was, thought to be aligned for the assault on the Bolivar road to the North. Of this detour White knew nothing. After his rest he pushed on with his guard of five men and a Lieutenant, to overtake his command. He travelled up to the very outskirts of the town, yet did not come up with his men. Supposing them to be in possession of the place, he pushed on, and soon found himself in a rebel camp—a prisoner. He was immediately surrounded by a crew of savages, who at once resolved to have his life. Captain Wroton, a rebel officer, only saved the Major and his guard from murder by swearing to protect them with his life. The blood-thirsty wretches were only kept at bay by the constant presence of the rebel officer. It was evident that they did not entertain any of Mr. Lincoln's "anxiety" regarding retaliation.

Zagonyi's detour of twelve miles was no surprise. He arrived on the outskirts of the town to find the enemy awaiting him, twenty-two hundred strong, including four hundred cavalry. It was indeed rushing into the jaws of death, but the heart of the bold Hungarian apparently took no counsel of fear. To his officers he said: "Follow me and do like me!" To his men he shouted: "Comrades! The hour of danger has come: your first battle is before you. The enemy is two thousand strong and you are three hundred. If any of you would turn back you can do so now." Not a man stepped from the ranks. He then added: "I will lead you. Let the watchword be *The Union and Fremont!* Draw sabres! By the right flank—quick trot—*march!*" With a wild shout, the commanding form of the Hungarian in the front, the intrepid assailants dashed forward to a bloody field.

Twelve hundred of the enemy's infantry were posted along the edge of a piece of thick timber, on the crown of a hill. Their cavalry occupied an advance spur of the hill before a clump of woods. The entire position was enclosed by a stout rail fence, while, in front, at the foot of the hill, flowed a miry creek. Zagonyi must advance to the assault along a narrow lane. Major Dorsheimer

wrote: "Sharp-shooters  
were concealed behind the  
trees close to the fence along

Zagonyi's Charge on  
Springfield.

side the lane, and a small number in some underbrush near the foot of the hill. Another detachment guarded their train, holding possession of the county fair-ground, which was surrounded by a high board-fence. This position was unassailable by cavalry from the road, the only point of attack being down the lane on the right; and the enemy were so disposed as to command this approach perfectly. The lane was a blind one, being closed, after passing the brook, by fences and ploughed land: it was, in fact, a *cul-de-sac*. If the infantry should stand, nothing could save the rash assailants. There are horsemen sufficient to sweep the little band before them, as helplessly as the withered forest-leaves in the grasp of the autumn winds; there are deadly marksmen lying behind the trees upon the heights and lurking in the long grass upon the lowlands; while a long line of foot stand upon the summit of the slope, who, only stepping a few paces back into the forest, may defy the boldest riders. Yet, down this narrow lane, leading into the very jaws of death, came the three hundred." Of the charge itself the same writer drew this graphic picture:

"They pass the fair-ground. They are at the corner of the lane where the wood begins. It runs close to the fence on their left for a hundred yards, and beyond it they see white tents gleaming. They are half-way past the forest, when, sharp and loud, a volley of musketry bursts upon the head of the column; horses stagger, riders reel and fall, but the troop presses forward undismayed. The farther corner of the wood is reached, and Zagonyi beholds the terrible array. Amazed, he involuntarily checks his horse. The rebels are not surprised. There to his left they stand crowning the height, foot and horse ready to engulf him, if he shall be rash enough to go on. The road he is following declines rapidly. There is but one thing to do—run the gauntlet, gain the cover of the hill, and charge up the steep. These thoughts pass quicker than they can be told. He waves his sabre over his head, and shouting, 'Forward! follow me! quick trot! gallop!' he dashes headlong down the stony road. The first company, and most of the second, follow. From the left a thousand muzzles belch forth a hissing flood of bullets; the poor fellows clutch wildly at the air and fall from their saddles, and maddened



Zagonyi's Charge on  
Springfield.

horses throw themselves upon the fences. Their speed is not for an instant checked; farther down the hill they fly, like wasps driven by the leaden storm. Sharp volleys pour out of the underbrush at the left, clearing wide gaps through their ranks. They leap the brook, take down the fence, and draw up under shelter of the hill. Zagonyi looks around him, and to his horror sees that only a fourth of his men are with him. He cries, 'They do not come—we are lost!' and frantically waves his sabre.

"He has not long to wait. The delay of the rest of the Guard was not from hesitation. When Captain Foley reached the lower corner of the wood and saw the enemy's line, he thought a flank attack might be advantageously made. He ordered some men to dismount and take down the fence. This was done under a severe fire. Several men fell, and he found the wood so dense that it could not be penetrated. Looking down the hill, he saw the flash of Zagonyi's sabre, and at once gave the order, 'Forward!' At the same time, Lieutenant Kennedy, a stalwart Kentuckian, shouted, 'Come on, boys! remember Old Kentucky!' and the third company of the Guards, fire on every side of them—from behind trees, from under the fences—with thundering strides and loud cheers, poured down the slope and rushed to the side of Zagonyi. They had lost seventy, dead and wounded men, and the carcasses of horses are strewn along the lane. Kennedy is wounded in the arm, and lies upon the stones, his faithful charger standing motionless beside him. Lieutenant Goff received a wound in the thigh; he kept his seat, and cried out, 'The devils have hit me, but I will give it to them yet!'

"The remnant of the Guard are now in the field under the hill, and from the shape of the ground the rebel fire sweeps with the roar of a whirlwind over their heads. A line of fire upon the summit marks the position of the rebel infantry, and nearer and on the top of a lower eminence to the right, stand their horse. Up to this time no Guardsman has struck a blow, but blue coats and bay horses lie thick along the bloody lane. Their time has come. Lieutenant Maythenyi with thirty men is ordered to attack the cavalry. With sabres flashing over their heads, the little band of heroes spring towards their tremendous foe. Right upon the centre they charge. The dense mass opens, the blue coats force their way in, and the whole rebel squadron scatter in disgraceful flight through the corn-fields in the rear. The bays follow them sabreing the fugitives. Days after, the enemy's horses lay thick among the uncut corn.

"Zagonyi holds his main body until Maythenyi disappears in the cloud of rebel cavalry; then his

Zagonyi's Charge on  
Springfield.

voice rises through the air: 'In open order—charge!' The line opens out to give play to their sword-arm. Steeds respond to the ardor of their riders, and quick as thought, with thrilling cheers the noble hearts rush into the leaden torrent which pours down the incline. With unabated fire the gallant fellows press through. Their fierce onset is not even checked. The foe do not wait for them—they waver, break and fly. The Guardsmen spur into the midst of the rout, and their fast-falling swords work a terrible revenge. Some of the boldest of the Southrons retreat into the woods, and continue a murderous fire from behind trees and thickets. Seven Guard horses fall upon a space not more than twenty feet square. As his steed sinks under him, one of the officers is caught around the shoulders by a grape-vine, and hangs dangling in the air until he is cut down by his friends.

"The rebel foot are flying in furious haste from the field. Some take refuge in the fair-ground, some hurry into the corn-fields, but the greater part run along the edge of the wood, swarm over the fence into the road, and hasten to the village. The Guardsmen follow. Zagonyi leads them. Over the loudest roar of battle rings his clarion voice—'Come on, Old Kentuck! I'm with you!' And the flash of his sword-blade tells his men where to go. As he approaches a barn, a man steps from behind the door and lowers his rifle; but before it has reached a level, Zagonyi's sabre-point descends upon his head, and his life-blood leaps to the very top of the huge barn door.

"The conflict now raged through the village—in the public square, and along the streets. Up and down the Guards ride in squads of three or four and wherever they see a group of the enemy, charge upon and scatter them. It is hand to hand. No one but has a share in the fray."

The Scouts, owing to some confusion of orders, did not share in the glory of the charge. The two companies of Captain Fairbanks and Kehoe pressed up along the lane to a point where Zagonyi entered it aiming to get in the enemy's rear, so that when driven over the hill by Zagonyi, they could cut the flying rebels to pieces. This movement was ordered by some one, but by whom is not known. It could not have been made by Zagonyi for he needed every man to face the foe. The third company of the Scouts, under Captain Naughton, strove to join Zagonyi by riding through the gap in the fence, made by Captain Foley. It was a fearful attempt. The dragoons fairly melted



Zagonyi's Charge on  
Springfield.

before the infantry fire, and only five succeeded in passing over to the General's position under the hill. Major White, after a series of remarkable adventures, succeeded in effecting not only his escape, but the capture of his captors. He reached town the next morning, at the head of an extemporized guard of farmers and five Scouts, bearing Captain Wroton along with him, as prisoner. Dorsheimer gave a novel and humorous version of the "occupation" of Springfield—Zagonyi having retired, with all his remaining forces toward the North, fearing an attempt to cut off his retreat. He said: "At day-break White rode into Springfield at the head of his captives and a motley band of Home Guard. He found the Federals still in possession of the place. As the officer of highest rank, he took command. His garrison consisted of twenty-four men. He stationed twenty-two of them as pickets in the outskirts of the village, and held the other two as a *reserve*. At noon the enemy sent in a flag of truce, and asked permission to bury their dead. Major White received the flag with proper ceremony, but said that General Siegel was in command and the request would have to be referred to him. Siegel was then *forty miles* away! In a short time a written communication purporting to come from General Siegel, saying that the rebels might send a party under certain restrictions to bury their dead. White drew in some of his pickets, stationed them about the field, and under their surveillance the Southern dead were buried."

The place was not retained, however: Major White "evacuated" the position to return with his Scouts to camp. The Guard fell back towards Bolivar. The loss of the Guards was fifty-three—killed, wounded and missing; that of the Scouts was thirty-one—half of that number being of Naughton's company of Irish Dragoons. This was the first and last exploit of the Guardsmen. They returned, soon after, to St. Louis, along with Fremont. Their rations and forage were denied them and they were disbanded—ashamed of their soiled and ragged garments, and humiliated at their usage. Such are the fortunes of those at the mercy of opposing fac-

tions of the same service. We have given the story of their brief service quite at length in order to illustrate one of those episodes of the war which ever will remain as a landmark of heroism and devotion.

This success was followed by a forced march into Springfield, Siegel still on the advance. A thirty miles stretch was made October 27th, by that division, and to it was assigned the honors of a first entry. How well Siegel knew each street, each house, each hill around! The town had for him memories at once pleasurable and painful. The Federal army was received by the people as deliverers: October 27th was a gala-day. Little did the sanguine and expectant inhabitants realise that they were soon to be given once more over to the brutal reign of the Confederates.

Asboth arrived with the rear division October 30th, and was soon followed by General Lane, with his Kansas brigade. McKinstry's division was then on the Pomme de Terre, seventy miles away, and Pope was still struggling along down from the North. So with Hunter. The rebels, led by Price in person, were at Neosho, fifty-four miles to the southwest of Springfield. His command, it was reported, included McCullough's forces and all of Jackson's "State Guard," as well as Rains' motley army—numbering, all told, about thirty thousand men. Fremont's then available strength was about thirteen thousand, of all arms. A sudden march upon Springfield by the Confederates might drive the Federal General to close quarters, but no such dashing movement was made by Price, though he began his forward march from Neosho as early as October 27th.

Pope's division arrived at headquarters November 1st and 3d—having marched seventy miles in two days. McKinstry's corps soon followed. The apprehensions of Fremont were appeased by this addition to his strength, and he awaited Price's disposition in confidence.

The long threatened blow came at last. On the morning of November 2d a messenger arrived at Springfield, from St. Louis, bearing the order, signed by General Scott, of Fremont's removal from command. He was

Occupation of Spring-  
field.



Fremont Relieved of  
his Command.

directed to pass over his command to General Hunter, and to report himself by letter to the War Department. It came like a defeat. The camps were in commotion at once, and the officers and men of Siegel's and Asboth's divisions to a great extent became disastrously disaffected. It was a terribly unwelcome fact, at that moment, when the consummation of the commander's hopes seemed so near. Three months of almost superhuman labor, of enormous expense, of infinite sacrifice, were swept away by the dash of a pen.

Price pushed on rapidly. A reconnoissance by Asboth, November 3d, reported the enemy to be concentrating in force at Wilson's Creek—McCullough's army being also reported as at Dug Spring. Though suspended from office Fremont could not, with any propriety, abandon his charge—Hunter not having come in, up to the evening of the 3d, with his division. A deputation of one hundred and ten officers waited upon Fremont during the evening, to present an address of sympathy and confidence. A request was also made, that he would lead them to battle. The result of the interview was the promulgation of an order for battle, reading:

"The different divisions of the army shall be put in the following order of battle.

" Act'g Major-General Asboth, right wing.
" " McKinstry, centre.
" " Siegel, left.
" " Pope, reserve.

"General McKinstry's column to leave camp at six o'clock, and proceed by the Fayetteville road to the upper end of the upper cornfield on the left, where General Lyon made his first attack.

"General Siegel to start at six o'clock by Joakum's Mill, and follow his old trail, except that he is to turn to the right some two miles sooner, and proceed to the old stable on the lower end of the lower cornfield.

"General Asboth to start at six and one-half o'clock, by the Mount Vernon road, then by a prairie road to the right of the ravine opposite the lower field.

"General Pope to start at seven o'clock by the Fayetteville road, following General McKinstry's column.

"General Lane to join General Siegel's division.  
General Wyman to join General Asboth's division.

"One regiment and two pieces of artillery of General Pope's division to remain as a reserve in Springfield.

"The different divisions to come into their positions at the same time, about eleven o'clock, at which hour a simultaneous attack will be made.

"The baggage-trains to be packed and held in readiness at Springfield. Each regiment to carry three two-horse wagons to transport the wounded.

"J. C. FREMONT,  
"Major-General Commanding."

But, Hunter arrived during a council of Generals held at midnight. Fremont laid all matters before him, including the dispositions for battle, and then resigned the command, to depart, early on the morrow, for St. Louis. He was accompanied by the Body Guard and Sharpshooters, as a special escort. Most of his staff also returned with him, and soon were dismissed from service. The famous Guardsmen were not recognized as having any official existence, and they laid aside their sabres in mortification: disgrace was not for such as they.

Hunter's retreat from Springfield soon followed. November 8th the divisions of Siegel and Asboth pushed forward to Wilson's Creek, not as a menace to Price and McCullough, but as a feint to cover the Federal retreat from South-western Missouri. The day following the remaining three divisions started for the North by way of Rolla. The cause of this retrograde has been variously accounted for. A correspondent, who seemed well informed, wrote from Rolla stating that Hunter acted under orders from Washington, sent along with the dispatch superseding Fremont—it having been ascertained at headquarters that Price and McCullough were only "drawing on" the Federal forces, to prevent their concentration along the Mississippi, up which the Confederates hoped to move. He further said: "That General Price did not intend to fight, was shown by his falling back whenever our forces advanced. Two days before the main body of the Federal army left Springfield (for Rolla), the rebels fell back from Cassville to near the Arkansas line." From the fact that the enemy were not in force at Wilson's Creek, as reported by Asboth to Fremont on the morning of November 3d—only their ad-

Disposition for Battle.

Springfield again  
Abandoned.



vance guard of seven thousand having occupied the place for a brief time—it was assumed by Fremont's enemies that there was no enemy to fight him; but, such a statement found credence only with those glad to believe anything adverse to the late Commanding-General. Still, the circumstance that when Siegel and Asboth occupied the Wilson's Creek battle ground and found no foe, rendered it certain that there had been a retreat of the Confederates, and made plausible the *theory* of their pressing forward thirty thousand men only to retire and thus "draw on" the confident Federal Commander-in-Chief. The truth undoubtedly was that Fremont did not design to stop at Springfield: his programme looked to Little Rock. This the enemy learned, and he retired to fight on his own soil and near his supplies.

Disastrous state of  
Affairs.

General Halleck arrived in St. Louis November 12th, to assume command of the Department of the West, which then no longer included Kentucky. He soon found the enemy thundering at his door. That last retreat from Springfield let loose all the wild elements of disorder, rapine and murder. The long suffering Unionists of the South-western section offered up their homes, many

of them their lives, as a sacrifice to a cause which could return them only suffering for devotion.

Disastrous state of  
Affairs in Missouri.

Major Dorsheimer thus stated the prevailing impressions of Fremont's friends: "Forty-eight hours more must have given to General Fremont an engagement. What the result would have been no one who was there doubted. A victory such as the country has long desired and sorely needs—a decisive, complete and overwhelming victory—was as certain as it is possible for the skill and valor of man to make certain any future event. Now, twenty thousand men are required to hold our long line of defense in Missouri; then, five thousand at Springfield would have secured the State of Missouri, and a column pushed into Arkansas would have turned the enemy's position upon the Mississippi. In the same time and with the same labor that the march to the rear was made, two States might have been won, and the fate of the rebellion of the Southwest decided."

It will not require years for the public to arrive at conclusions regarding affairs in Missouri during Fremont's rule: if time writes its verdict of approval it will give satisfaction to many and pain but few.

## CHAPTER X.

### MCCLELLAN'S CAMPAIGN IN EASTERN VIRGINIA UP TO NOVEMBER FIRST. THE SECOND CAMPAIGN OF THE POTOMAC.

After the Defeat.

THE anxiety which followed the disaster to our arms at Bull Run, July 21st, was profound—the excitement intense. Confidence in General Scott's prudence had been unbounded; defeat was not regarded as possible. The shock was, therefore, all the more stunning. But when, added to defeat, came the spectacle of a stampede before a non-pursuing enemy, the humiliation was complete; and

there followed, from people and press, a storm of

After the Battle.

indignant comment that must have appalled those in power. This hurricane of words, however, was quickly silenced by the dangers of the hour. The enemy had but to push his advantages in order to lay the National Capital under his guns. That he refrained from doing so was not because the way was not open up to the Potomac intrenchments, but



After the Defeat. owing to a disagreement in the plans of the rebel leaders—President Davis opposing an attempt upon the Capital as premature. But, the loyal North beheld the danger, and public opinion was hushed in the one overmastering sentiment of opposing the rebel advance. Regiments seemed to spring from the ground. The tireless engine rushed from the North and West with its burthen of human freight seeking the ranks at the point of danger. Transports swept the rivers and the sea, loaded to their guards with men who counted the hours of their journey as if to hasten the speed of the wheels. In the country village, in the great city's thoroughfares, were the sound of marching troops, the shriek of the fife and the wild huzza—at once a greeting and an adieu. It was a solemn, imposing uprising—more solemn and significant of blood than the uprising of April; and Washington soon found its streets clogged with the advent of men eager to wipe out the disgrace of that mortifying defeat.

McClellan in Command.

Major-General George B. McClellan was called from the successes of his Western Virginia campaign to assume the active field command of the forces around Washington. General Scott was too feeble in body to meet the requirements of the hour; and, at his request, McClellan was called.\* All that host, gathering from the loyal firesides of the Free States, was to be taught the art of war: order was to be brought out of chaos: confusion was to be confounded, and the enemy to be kept at bay until the army of the Union, reorganized and remounted, should again essay the "Onward to Richmond" programme. August 1st saw him at the Capital, and not a week had passed before the stringent measures of a strict disciplinarian began to be felt. The first steps were to compel officers to return to their posts—then to inspire them with the spirit of military obedience and promptness toward superiors which they were only too eager to

\* It is stated that Mr. Lincoln first proposed to call McClellan to Washington, but the facts are that Scott, in a conference with the President, suggested McClellan for the command.

exact of their own men.

This was preliminary to the rigid discipline and accountability which, ere long, followed; and the country witnessed, with pleasure and a feeling of relief, an army grow up under the young General's hands to which it would be safe to trust the fate of the campaign on the Potomac.

McClellan in Command.

The Federal position during August and September was one of defense, in his department. The fortifications around the Capital were strengthened and extended,\* but there

\* The fortifications erected up to October 1st, were named and located as follows:

- The work south of Hunting creek, "Fort Lyon."
- That on Shuter's Hill, "Fort Ellsworth."
- That to the left of the Seminary, "Fort Worth."
- That in front of Blenker's brigade, "Fort Blenker."
- That in front of Lee's house, "Fort Ward."
- That near the mouth of Four Mile creek, "Fort Scott."
- That on Richardson's Hill, "Fort Richardson."
- That heretofore known as Fort Albany, "Fort Albany."
- That near the end of Long Bridge, "Fort Runyon."
- The work next on the right of Fort Albany, "Fort Craig."
- The work next on the right of Fort Craig, "Fort Tillinghast."
- The work next on the right of Fort Tillinghast, "Fort Ramsay."
- The work next on the right of Fort Ramsay, "Fort Woodbury."
- That next on the right of Fort Woodbury, "Fort DeKalb."
- The work in rear of Fort Corcoran, and near the canal, "Fort Haggerty."
- That heretofore known as Fort Corcoran, "Fort Corcoran."
- That to the north of Fort Corcoran, "Fort Bennett."
- That south of Chain Bridge, on the height, "Fort Ethan Allen."
- That near the Chain Bridge, on the Leesburg road, "Fort Marcy."
- That on the cliff north of the Chain Bridge, "Battery Martin Scott."
- That on the height near the reservoir, "Battery Vermont."
- That near Georgetown, "Battery Cameron."
- That on the left of Tenallytown, "Fort Gaines."
- That at Tenallytown, "Fort Pennsylvania."
- That at Emory's chapel, "Fort Massachusetts."
- That near the camp of the Second Rhode Island regiment, "Fort Slocum."
- That on Prospect Hill, near Bladensburg, "Fort Lincoln."



McClellan in Command.

was no movement beyond their precincts which could be construed into an advance,

for nearly two months. The massing of men, at that point continued, during that time. At the date of October 1st, it was estimated that from Harper's Ferry down to Alexandria fully two hundred and fifty thousand troops were aggregated. This vast army it was McClellan's study to place in a state of high efficiency. His camps became schools for the officer as well as for the soldier. Order, precision, obedience and stern discipline gradually superseded the indifference and disorder which would appear to be inseparable from the volunteer system; and when, on September 28th, the first Grand Review was held, the country witnessed a pageant which must have made the spirit of the Great Napoleon restless in the skies. Such an army, in men and equipments, the world never before beheld: may the country never again witness such a host called together for the defense of the Capital against its own sons!

The Second Federal Advance  
TOWARDS MANASSAS.

A reference to the Historical Summary, No. 5, will give, in brief, the several minor conflicts which transpired up to the first forward movement of the Federal forces, October 9th, when Lewinsville was occupied. On the 16th General Geary held Bolivar Heights overlooking Harper's Ferry, repelling a large force of rebels. This apparent advance was but a reconnoissance to determine the enemy's lines. On the 16th the rebels retired from Vienna—on the 17th from Fairfax Court House, drawing in their lines preparatory to a stand at Centreville and Manassas, where extensive earth-work defenses were reported to have been constructed during August, September and October.

Leesburg, though reported to have been

That next on the left of Fort Lincoln, "Fort Saratoga."

That next on the left of Fort Saratoga, "Fort Bunker Hill."

That on the right of General Sickles' camp, "Fort Stanton."

That on the right of Fort Stanton, "Fort Carroll."

That on the left towards Bladensburg, "Fort Greble."

The Occupation of Drainesville.

evacuated by the Confederates on the 17th, was still held by General Evans with

his division. For several days prior to the 21st, the brigades on the right bank of the Potomac, above the Chain Bridge and the Falls of the Potomac, had been pushed up in the direction of Leesburg. These brigades, however, commanded by General McCall, did not advance further than Drainesville, twelve miles south-east of Leesburg, although their scouts were pushed forward to Goose Creek, four miles from that place. On Saturday and Sunday General McCall made two reconnoissances towards Leesburg, and could find no trace of the enemy. The country people declared that the rebels had abandoned that place some days before, and the belief at headquarters was that the rebels had withdrawn to Aldie, ten miles to the south-west, where the enemy could place Goose Creek between themselves and the advancing Federals. Goose Creek is about the size of Bull Run, but has high and steep banks, and cannot be crossed by artillery, except by bridges. On the right bank of the creek are high hills, admirably calculated for defense, and these, it was understood, the rebels were fortifying. General Stone, commanding at Point of Rocks, determined, upon his own responsibility, it would appear, upon a demonstration toward Leesburg, looking to its occupation.

McCall's demonstration on Drainesville excited the enemy to renewed vigilance. A regiment of infantry and a troop of cavalry were dispatched by General Evans to watch the vicinity of Edwards' Ferry—these forces taking possession of a hill about one mile and a half from the river crossing. Evans had, it afterwards appeared, *feinted* an evacuation of Leesburg in order to draw one of the Federal Generals into his cleverly laid net. He was near at hand with his entire division.

Stone having completed his arrangements, October 20th, proceeded, at one P. M., to Edwards' Ferry, from Poolsville, with Gorman's brigade, the Seventh Michigan volunteers, two troops of the Van Alen cavalry, and the Putnam Rangers, sending at the same time to Harrison's Island and vicinity four companies of the Fifteenth Massachusetts



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volunteers, under Colonel Devens, (who already had one company on the island,) and Colonel Lee with a battalion of the Twentieth Massachusetts. To Conrad's Ferry he dispatched a section of Vaughn's Rhode Island battery and the Tammany regiment, under Colonel Cogswell. A section of Bunting's New York State militia battery, under Lieutenant Bramhall, was, at the time, on duty at Conrad's Ferry; Ricketts' battery, already was posted at Edwards' Ferry, under Colonel Woodruff. Orders were also sent to Colonel Devens, at Harrison's Island, to detach Captain Philbrick and twenty men to cross from the island and explore, by a path through woods little used, in the direction of Leesburg, to see if he could find anything concerning the enemy's position in that direction; but to retire and report on discovering anything of the Confederates.

General Gorman was directed to deploy his brigade in full view at the river crossing, if possible to draw out the lurking rebels, and thus to learn their strength. No enemy appeared, to answer to the menace offered. Shell and spherical shot failed to call them up. Three flat boats were launched, and, under cover of the artillery, then shelling the woods opposite, three companies of the First Minnesota crossed and recrossed the stream, proving the readiness and gallantry of the men as well as seeming to assure the Federal commander of the absence of any great body of the rebels.

As darkness came on, General Stone ordered Gorman's brigade and the Seventh Michigan to fall back to their respective camps, but retained the Tammany regiment, the companies of the Fifteenth Massachusetts and artillery near Conrad's Ferry, in their position, waiting the result of Captain Philbrick's scout, he (Stone) remaining with his staff at Edwards' Ferry. About four P. M., Lieutenant Howe, of the Fifteenth Massachusetts, reported to General Stone that Captain Philbrick had returned to the island after proceeding, unmolested, to within a mile and a half of Leesburg, and that he had there discovered, in the edge of a wood, an encampment of about thirty tents, which he approached to within twenty-five rods without

being challenged, the camp having no pickets out any distance in the direction of the river towards Edwards' Ferry.

General Stone at once sent orders to Colonel Devens to cross four companies of his regiment to the Virginia shore, to march silently, under the cover of night, to the position of the camp referred to, to attack and destroy it at daybreak, pursue the enemy lodged there as far as prudent, then to return rapidly to the island; his return to be covered by the Massachusetts Twentieth, which was directed to be posted on a bluff directly over the landing place. Colonel Devens was ordered to use this opportunity to observe the approaches to Leesburg, and the position and force of the enemy in the vicinity. In case he found no enemy, or found him only weak and in a position where he could observe well and be secure until his party could be strengthened sufficiently to make a thorough reconnoissance, which should ascertain the position and force of the enemy, to hold on and report. Orders were dispatched to Colonel Baker, to send the First California regiment to Conrad's Ferry, to arrive there at sunrise, and to have the remainder of his brigade in a state of readiness to move after an early breakfast. Also to Lieutenant-Colonel Ward, of the Fifteenth Massachusetts, to move with a battalion to the river bank opposite Harrison's Island, to arrive there by daybreak. Two mounted howitzers, from Ricketts' battery, were detailed to the tow-path opposite Harrison's Island.

In order to distract attention from Colonel Devens' movement, and at the same time to effect reconnoissance in the direction of Leesburg from Edwards' Ferry, General Stone ordered Gorman to throw across the river at that point, two companies First Minnesota, under cover of fire from Ricketts' battery, and sent a party of thirty-one Van Alen cavalry, under command of Major Mix, accompanied by Captain Charles Stewart, Assistant Adjutant-General; Captain Murphy, Lieutenants Pierce and Gouraud, with orders to advance along the Leesburg road until they should come to the vicinity of the battery, which was suspected to be on that road, and then turn to the left and examine the heights

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between that and Goose Creek; see if any of the enemy were posted in that

vicinity, ascertain as near as possible their number and disposition, examine the country with reference to the passage of troops to the Leesburg and Georgetown turnpike, and return rapidly to cover behind the skirmishers of the First Minnesota.

This reconnoissance was most gallantly made by all in the party, which proceeded along the Leesburg road nearly three miles from the ferry, and when near the position of a hidden battery, came suddenly on a Mississippi regiment about thirty-five yards distant, received its fire and returned it with their pistols. The fire of the enemy killed one horse, but Lieutenant Gouraud, the gallant Adjutant of the cavalry battalion, seized the dismounted man, and drawing him on his horse behind him, carried him safely from the field. One private of the Fourth Virginia cavalry was brought off by the party, and as he was well mounted and armed, his mount replaced the one lost by the fire of the enemy.

Meantime Colonel Devens on the right, having in pursuance of his orders arrived at the position indicated by the scouts as the site of the enemy's camp, found that they had been deceived by the uncertain light, and had mistaken the opening in the trees for a row of tents. He found however, wood, in which he concealed his force from view, and proceeded to examine the space between that and Leesburg, sending back word to General Stone, that thus far he could see no enemy. Immediately on receipt of this intelligence, which was carried by Lieutenant Howe, General Stone ordered a non-commissioned officer and ten cavalry to join Colonel Devens, for the purpose of scouring the country near him, while he continued his reconnoissance, and give him due notice of the approach of any enemy, and that Lieutenant-Colonel Ward, with his battalion of the Fifteenth Massachusetts, should move on to Smart's Mill, half-a-mile to the right of the crossing-place of Colonels Devens and Lee, where, in strong position, he could watch and protect the flank of Colonel Devens on his return, and secure a second crossing-place more fa-

vorable than the first, and connected by a good road with Leesburg. Captain Candy, Assistant Adjutant-General, and General Lander, accompanied the cavalry to serve with it.

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The battalion under Colonel Ward was detained on the bluff in the rear of Colonel Devens, instead of being directed to the right. Stone said in his official report: "For some reason, never explained to me, neither of these orders were ever carried out. The cavalry were transferred to the Virginia shore, but were sent back without having left the shore to go inland, and thus Colonel Devens was deprived of the means of obtaining warning of any approach of the enemy." The report then went on to state the orders given to Colonel Baker, under which he acted, viz.:

"Colonel Baker having arrived at Conrad's Ferry, with the First California regiment at an early hour, proceeded to Edwards' Ferry, and reported to me in person, stating that his regiment was at the former place, and the three other regiments of his brigade ready to march. I directed him to Harrison's Island to assume command, and in a full conversation explained to him the position as it then stood. I told him that General McCall had advanced his troops to Drainesville, and that I was extremely desirous of ascertaining the exact position and force of the enemy in our front, and exploring, as far as it was safe, on the right towards Leesburg, and on the left towards the Leesburg and Gum Spring road. I also informed Colonel Baker that General Gorman, opposite Edwards' Ferry, should be reenforced, and that I would make every effort to push Gorman's troops carefully forward, to discover the best line from that Ferry to the Leesburg and Gum Spring road, already mentioned, and the position of the breastworks and hidden batteries, which prevented the movement of troops directly from left to right, were also pointed out to him.

"The means of transportation across, of the sufficiency of which he (Baker) was to be the judge, was detailed, and authority given him to make use of the guns of a section each of Vaughan's and Bunting's batteries, together with French's mountain howitzers (of Ricketts' battery), all the troops of his brigade and the Tammany regiment, beside the Nineteenth and part of the Twentieth regiments of Massachusetts volunteers. I left it to his discretion, after viewing the ground, to retire from the Virginia shore under the cover of his guns and the fire of the large infantry force, or to pass our reen-



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forcements in case he found it practicable, and the position on the other side favorable. I stated that I wished no advance made unless the enemy were of inferior force, and under no circumstances to pass beyond Leesburg, or a strong position between it and Goose Creek, on the Gum Spring, *i. e.*, the Manassas road. Colonel Baker was cautioned in reference to passing artillery across the river, and I begged, if he did so, to see it well supported by good infantry. The General pointed out to him the position of some bluffs on this side of the river, from which artillery could act with effect on the other, and, leaving the matter of crossing more troops or retiring what were already over, to his discretion, gave him entire control of operations on the right. This gallant and energetic officer left me about nine A. M. or half-past nine, and galloped off quickly to his command."

This statement is precise, and if Colonel Baker was caught without transports for a retreat, was surprised by an overwhelming force which cut off his retreat, in part, it was not General Stone's fault, if the orders explicitly detailed above were given and were understood. Baker's friends as explicitly state that he undertook the enterprize, conscious that he should be overwhelmed, and that he so expressed himself to General Stone, urging the practical impossibility, with the transports at his disposal, of throwing over the river the force which he deemed safe—but was ordered forward. From an examination of all the evidence produced, we credit the General's statement, and feel that the censures heaped upon him really were unmerited.

Reenforcements were rapidly thrown to the Virginia side by General Gorman, at Edwards' Ferry, and his skirmishers and cavalry scouts advanced cautiously and steadily to the front and right, while the infantry lines were formed in such position as to act rapidly and in concert, in case of an advance of the enemy, and shells were thrown by Lieutenant Woodruff's Parrott guns, especial care being taken to annoy the enemy by the battery on the right.

Messengers from Harrison's Island informed General Stone, soon after the arrival of Colonel Baker opposite the island, that he was crossing his whole force as rapidly as possible, and that he had caused an addi-

tional flat-boat to be lifted from the canal into the river, and had provided a

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line, by which to cross the boats more rapidly. During the morning a sharp skirmish took place between two of the advance companies of the Fifteenth Massachusetts and a body of about one hundred strong of Mississippi riflemen, during which a body of the enemy's cavalry appeared, causing Colonel Devens to fall back in good order on Colonel Lee's position, after which he again advanced, his officers and men behaving admirably, fighting, retiring, and advancing in perfect order, and exhibiting every proof of high courage and good discipline. Had he, at this time, had the cavalry scouting party which was sent him in the morning, but which, most unfortunately, had been turned back without his knowledge, he could, doubtless, have had timely warning of the approach of the superior force, that afterwards overwhelmed his regiment and their brave commander and comrades. To that surprise was owing the disaster.

General Stone, evidently thinking that Colonel Baker might be able to use more artillery, dispatched to him two additional pieces of Vaughan's battery, supported by two companies of infantry, with directions to its officer to come into position below the place of crossing, and report to Colonel Baker. Later in the day, and but a short time prior to the arrival of the guns, Colonel Baker suggested this same movement to General Stone.

It was about one o'clock P. M., when the enemy appeared in force, in front of Colonel Devens. A second skirmish then ensued. The field was maintained for some time by the Massachusetts Fifteenth, when, finding himself unsupported and about to be outflanked, Colonel Devens retired his men to a position in the edge of the wood, about half a mile in front of Colonel Lee's position where he remained until two P. M., when he again retired with the approach of Colonel Baker, and took his place in line with those portions of the Twentieth Massachusetts and First California regiments which had arrived.

Colonel Baker at once formed his line awaiting the attack of the enemy, who came



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upon him with great vigor about three P. M., and was met with admirable spirit

by our troops. Though evidently struggling against largely superior numbers, (nearly if not quite three to one,) they maintained their ground and a most destructive fire upon the enemy. Colonel Cogswell, with a small portion of his (Tammany) regiment, succeeded in reaching the field in the midst of the heaviest fire. His men rushed into the conflict with a wild shout.

Lieutenant Bramhall, of Bunting's battery, succeeded, after great exertions, in bringing up a piece of the Rhode Island battery, and Lieutenant French, First artillery, his two mountain howitzers; but, while, for a short time, these maintained a well-directed fire, both officers and nearly all the men were soon borne away wounded, and the pieces were passed to the rear to prevent their falling into the hands of the enemy.

About four o'clock P. M., Colonel Baker, pierced by a number of balls, fell, at the head of his command, while cheering on his men, and by his own example maintaining the obstinate resistance they were making. In full uniform, with a "regulation" hat and feather, and mounted on his horse, he was a conspicuous mark for the sharpshooters. Entirely regardless of personal safety, he led and cheered on his men. He remarked to those around him, "A rascal up in that tree has fired at me five or six times;" and the rascal in the tree was speedily brought down by a well-directed ball. Soon after this Colonel Baker was surrounded by a body of rebel cavalry and taken prisoner; but the right wing of the battalion charged with the bayonet, routed the cavalry, killed numbers of them, and recaptured their Colonel.

But a few minutes had elapsed, however, when a tall, ferocious Virginian, with eyes fairly ablaze, came rushing from behind a tree, with a huge revolver in his hand, and, placing the weapon almost against the Colonel's head, inflicted a mortal wound. Not satisfied with his deadly work, he fired the second ball, while simultaneously the body was pierced with four bullets from the tops of trees. The brave Colonel fell lifeless from his horse. Captain Louis Berial, of

New York city, commanding Company G, California regiment, seeing the assassi-

nation of Colonel Baker, rushed upon the ruffian, seized him by the throat, and shot him dead on the spot with his revolver.

Colonel Lee then took command, and prepared to commence throwing all his forces to the rear, but Colonel Cogswell, of the Tammany regiment, being found to be senior in rank, assumed command, and ordered dispositions to be made immediately for marching to the left, and cutting a way through to Edwards' Ferry.

Unfortunately, just as the first dispositions were being made, an officer of the rebels rode rapidly to the front of the Tammany regiment and beckoned them towards the enemy. Whether the Tammany understood this as an order from one of its officers, or an invitation to close work, is not known; but the men responded to the gesture with a yell, and charged forward, carrying with them in their advance the rest of the line, which soon received a murderous fire from the enemy at close distance. The officers rapidly recalled their men, but in the position they had now placed themselves, it was impracticable to make the movement designed, and Colonel Cogswell reluctantly gave the order to retire. The enemy pursued to the edge of the bluff over the landing place, and thence poured in a heavy fire on the men who were endeavoring to cross to the island.

Rapid as the retreat necessarily was, there was no neglect of orders. The men formed near the river, deploying as skirmishers, and maintained for twenty minutes or more the unequal and hopeless contest rather than surrender.

The smaller boats had disappeared, no one knew whither. The largest boat, rapidly and too heavily laden, swamped some fifteen feet from the shore, and nothing was left to the gallant soldiers but to swim, surrender or die.

With a devotion worthy of the cause they were serving, officers and men, while quarter was being offered to such as would lay down their arms, stripped themselves of their swords and muskets, hurled them into the river to prevent their falling into

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the hands of the foe, and saved themselves as they could by swimming, floating on logs, or by concealing themselves in bushes and forests to make their way up and down the river, back to a place of crossing.

A correspondent present who appears to have been in General Stone's confidence, wrote :

' While these scenes were being enacted on the right, General Stone was preparing for a rapid push forward to the road by which the enemy would retreat if driven, and entirely unsuspecting of the perilous condition of the troops on the right. The additional artillery had already been sent in anticipation, and General Stone was told by a messenger from Baker's position, that the Colonel could, without doubt, hold his own in case he did not advance. Half an hour later—say at half-past three P. M.—a similar statement was made by another messenger from Colonel Baker, and it was the expectation of General Stone that an advance on the right would be made, so that he could push forward General Gorman. It was, as had been explained to Colonel Baker, impracticable to throw Gorman's brigade directly to the right, by reason of the battery in the wood, between which we had never been able to reconnoitre."

This confidence in Baker's success is confirmed by the collateral evidence of Stone having telegraphed to General Banks a request for a brigade with which to occupy the Virginia side of the river, opposite Harrison's Island.

It was not, it would appear from official statements, until five P. M., that a messenger arrived from the field announcing to Stone the news of Colonel Baker's death. The messenger (Captain Canby) did not even then report a reverse, but complained that reinforcements were slow. Stone telegraphed word of Baker's loss to General Banks, and then hastened to the right to assume command. Before he reached the point opposite the island, evidences of disaster began to be met, in men who had crossed the river by swimming. Reaching the landing, the fact was asserted in a manner leaving no possible doubt. It was reported to the General that the enemy's force was ten thousand, that they were carrying all before them and would doubtless secure the island. His efforts were at once directed to the island's safety. He

ordered the wounded there to be removed—established a patrol on the tow path opposite the island to the line of pickets near Monocacy; then returned to the left, to secure the troops there from disaster, preparing means of removing them as rapidly as possible.

Orders arrived from headquarters of the army of the Potomac to hold the island and Virginia shore at Edwards' Ferry at all hazards, and promising reinforcements. Stone forwarded additional intrenching tools to General Gorman, with instructions to intrench and hold out against any force that might appear. That evening General Stone learned by telegraph that General Banks was on the way to reinforce him, and at about three A. M. that officer arrived and assumed command.

One on the ground wrote; "After Colonel Devens' second advance, Colonel Baker seemed to have gone to the field in person, but he has left no record of what officers and men he charged with the care of the boats, and insuring the regular passage of the troops. If any one was charged with this duty, it was not performed, for it appears that the reinforcements, as they arrived, found no system enforced, and the boats were delayed most unnecessarily in transporting back, a few at a time, the wounded that happened to arrive with attendants. Had an efficient officer been in charge at each landing, with one company guarding the boats, their full capacity would have been made serviceable, and sufficient men would have passed on to secure the success of his operation. The forwarding of artillery (necessarily a slow process) before its supporting force of infantry also impeded the rapid assembling of an imposing force on the Virginia shore. The infantry which was waiting with impatience should have been first transported, and this alone would have made a difference in the infantry line at the time of attack of at least one thousand men—enough to have turned the scale in our favor."

The losses of the Federals, in this affair, never were accurately ascertained. About seventy were killed; as many were drowned and shot in the water; over one hundred and fifty were wounded; and about four hu-

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dred were taken prisoners.\*

The rebel General in command, Evans, in his report

of the conflict, stated his forces to have been twenty-five hundred, and his loss to have been three hundred killed and wounded. The Federal force, all told, was nineteen hundred, as follows: California, 570; Tammany, 360; Massachusetts Fifteenth, 653; Massachusetts Twentieth, 318.

It is painful to contemplate the full extent of this disaster. It was a defeat, but that was not the worst result: the slaughter which followed the defeat—the bravery and devotion which drove men into the swollen current, to perish by drowning and by being shot in the water—the swamping in mid stream of the flat-boat heavily laden with the wounded, by which the agonies of two deaths were meted out to the doomed heroes—the dispersion of the army into small squads up and down the stream to be hunted like wild beasts—all form a picture over which men may be excused for weeping. It was one of the most distressing events of a distressing war.

As to the responsibility of the movement made, and of the surprise, the following orders will afford due light; they were found in the Colonel's hat, underneath the lining. Both were deeply stained with his blood. One of the bullets, which went through his head, carried away a corner of the first:

"EDWARDS' FERRY, OCT. 21ST, 1861.

"Colonel E. D. Baker, Commander of Brigade:

"Colonel: In case of heavy firing in front of Harrison's Island, you will advance the California regiment of your brigade, or retire the regiments under Colonels Lee and Devens, now on the (almost rendered illegible by blood) Virginia side of the river, at your discretion—assuming command on arrival.

\* The N. Y. Herald stated the losses as follows:

Killed .....	223
Wounded .....	166
Wounded among prisoners.....	100
Prisoners not wounded .....	429

Total..... 918

"To the above must be added the killed and wounded of the Third Rhode Island battery, the First United States artillery, and the United States cavalry, which will probably swell the number to nine hundred and thirty, or nearly fifty per cent. of the whole force engaged."

"Very respectfully, Colonel, your most obedient servant.

CHARLES P. STONE,

"Brigadier-General Commanding."

The second order, which follows, was delivered on the battle-field by Colonel

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Cogswell, who said to Colonel Baker, in reply to a question what it meant, "All right, go ahead." Thereupon, Colonel Baker put it in his hat without reading. An hour afterward he fell:

"HEADQUARTERS CORPS OF OBSERVATION, }  
EDWARDS' FERRY, Oct. 22d—11:50. }

"E. D. Baker, Commanding Brigade:

"Colonel: I am informed that the force of the enemy is about four thousand, all told. If you can push them, you may do so as far as to have a strong position near Leesburg, if you can keep them before you, avoiding their batteries. If they pass Leesburg and take the Gum Spring road, you will not follow far, but sieze the first good position to cover that road.

"Their desire is to draw us on, if they are obliged to retreat, as far as Goose Creek, where they can be reenforced from Manassas, and have a strong position.

"Report frequently, so that, when they are pushed, Gorman can come up on their flank.

"Yours, respectfully and truly,

"CHARLES P. STONE,

"Brigadier-General Commanding,"

The surprise was owing principally to the unusual sagacity exercised by the rebel General. His secrecy of movement and of disposition—his effective arrangements for luring the Federal forces into danger—were such as to accomplish his ends despite the very careful and suspicious advances of his adversary. It was owing, secondarily, to Baker's neglect to read the second dispatch. The answer of Colonel Cogswell: "All right—go ahead!" served to reassure the commanding Colonel, and induced him to advance where advance was ruin. But, that does not relieve him from the responsibility incurred: it was his duty to have read the dispatch of his superior and directing officer, even in the midst of battle.

The movement, itself, over the river, is open for stricture; but, the care shown by General Stone to guarantee a success—the orders above recorded—prove the falsity and absurdity of the charges of "disloyalty," "reckless disregard of life," &c., &c., freely



uttered, after the disaster, against the General. His arrest and long imprisonment in Fort Lafayette followed; but, the War Department will not fail to suffer for its course in his case when so many greater blunderers, in more responsible commands, were allowed to repeat their errors, even to the loss of great campaigns.

The Drainesville Movement.

McClellan, when informed of the defeat, hastened to the vicinity. It somewhat disarranged his projected advance. Having determined and announced that there must be "no defeats in his command," it was as unwelcome as unexpected, and for a moment delayed his then inaugurated "pressure" of the enemy on his front. Leesburg was his by virtue of the retirement of the Confederate forces from Vienna and Harper's Ferry. The reconnoissance in force made by McCall, was simply a demonstration to compel the abandonment of the region around. Drainesville was not held—McCall retiring from it after a two days' occupation, on Monday, October 21st, the day of the disaster at Edwards' Ferry. When McClellan received word of the movement over the Potomac, by Stone, he countermanded his order to McCall for evacuating Drainesville; but the word came too late—McCall already having retired to Langley's.

Stone's Advance in Force.

McClellan at once proceeded to the vicinity of Edwards' Ferry. In company with Generals Banks and Stone, he spent the 22d on the Virginia side, reconnoitering and examining into the state of the command. Pickets were thrown forward about one mile inland from Conrad's Ferry, and the same distance up Goose Creek. General Banks assumed full command. Stone threw his entire division over the river on the 22d, only to withdraw again on the night of the 23d, owing to the heavy concentration of Confederates on his front. After the affair at Bolivar Heights, on the 16th—in which the enemy experienced a severe repulse at the hands of Colonel Geary's brigade—the rebel forces pressed forward from Winchester, compelling Geary to withdraw to the Maryland side. These forces were augmented rapidly—the enemy seeming ready for a push into Mary-

land as they gave way in front of Washington. The advance of the Federal corps of Banks towards Edwards' Ferry, Harrison's Island, on the 22d, was accompanied by a corresponding gathering of the enemy in the vicinity of Leesburg, between which place and the river they erected batteries preparatory to disputing the Federal occupation. This position of matters, added to the fact that McClellan did not regard Leesburg as worth a struggle, induced him to order Banks back to Darnestown; where his army remained, with strong pickets thrown along the river. It was a double watch; the Confederates, on the Virginia side, were ever on the alert, occasionally using light artillery on the detachments of Federal cavalry and scouts which dashed up and down the river, and not unfrequently crossed, to spread alarm in the rebel camps. The history of that guard-mounting and reconnoitering, up to Banks' final occupation of Harper's Ferry, is one that will afford the future romance writers much novel incident and citing adventure.

The Enemy's Advance to the River.

On the 31st of October Lieutenant-General Winfield Scott retired from his position as General-in-Chief of the United States Army. The causes of his retirement were stated in his letter to the Secretary of War. It read:

The Retirement of General Scott.

"HEADQUARTERS OF THE ARMY,  
WASHINGTON, Oct. 31st, 1861.

"The Hon. SIMON CAMERON, Secretary of War:

"Sir: For more than three years I have been unable, from a hurt, to mount a horse or to move more than a few paces at a time, and that with much pain. Other and new infirmities—dropsy, vertigo—admonish me that repose of mind and body, with the appliances of surgery and medicine necessary to add a little more to a life already protracted much beyond the usual span of man. Under such circumstances, made doubly painful by the unnatural and unjust rebellion now raging in the Southern States of our so lately prosperous and happy Union, that I am compelled to request that my name be placed on the list of army officers retired from active service. As this request is founded on an absolute right, granted by a recent act of Congress, I am entirely at liberty to say it is with deep regret that I withdraw myself, in these momentous times, from the orders of a President.



The Retirement of  
General Scott.

has treated me with much distinguished kindness and courtesy, whom I know, upon much

personal intercourse, to be patriotic, without sectional partialities or prejudices, to be highly conscientious in the performance of every duty, and of unrivalled activity and perseverance. And to you, Mr. Secretary, whom I now officially address for the last time, I beg to acknowledge my many obligations for the uniform high consideration I have received at your hands, and have the honor to remain, sir, with high respect, your obedient servant.

“WINFIELD SCOTT.”

This resignation, though it had long been apprehended owing to the inability of the veteran to sustain the extraordinary pressure of duty devolving upon him. [see page 465,] was received with surprise by the people if not by the Administration. So long had Scott been the responsible and acting head of the army—so able had been his conduct of his office—so thoroughly had he won the confidence and love of the great mass of his countrymen, that his withdrawal from duty was, for the time-being, regarded as a calamity. Weighed down with age, longing for repose, still the nation, in its hour of peril, could not forego the wish that he might serve a little longer, adding the force of his great influence, the charm of his noble fame, to the cause of the Union. But, it could not be. Either the cares of office must be laid aside or life itself—so long had the General-in-Chief labored at his post.

A special Cabinet meeting assembled on the morning of Nov. 1st, to take into consideration the subject of the resignation, when it was decided to grant the request, in view of the General's evident inability to discharge the important duties of his office. The question of his successor was discussed, and it was decided to advance General McClellan to the position of General-in-Chief.

The incidents connected with Scott's retirement are so interwoven with the history of the time, that we make place for the addresses which passed between the Executive and the retiring Chief.

During the afternoon (Nov. 1st) the Cabinet again waited upon the President, and attended him to the residence of General Scott. Being seated, the President read to the General the following order :

“On the first day of November, A. D. 1861, upon his own application to the President of the United States, Brevet Lieutenant-General Winfield Scott is ordered to be placed, and hereby is placed, upon the list of retired officers of the army of the United States, without reduction in his current pay, subsistence or allowance.

“The American people will hear with sadness and deep emotion that General Scott has withdrawn from the active control of the army, while the President and unanimous Cabinet express their own and the nation's sympathy in his personal affliction, and their profound sense of the important public services rendered by him to his country during his long and brilliant career, among which will ever be gratefully distinguished his faithful devotion to the constitution, the Union and the flag, when assailed by parricidal rebellion.

“ABRAHAM LINCOLN.”

General Scott thereupon rose and addressed the President and Cabinet, who had also risen, as follows :

“PRESIDENT: This honor overwhelms me. It overpays all services I have attempted to render to my country. If I had any claims before, they are all obliterated by this expression of approval by the President, with the remaining support of his Cabinet. I know the President and this Cabinet well. I know that the country has placed its interests in this trying crisis in safe keeping. Their counsels are wise, their labors are as untiring as they are loyal, and their course is the right one.

“President, you must excuse me. I am unable to stand longer to give utterance to the feelings of gratitude which oppress me. In my retirement I shall offer up prayers to God for this administration and for my country. I shall pray for it with confidence in its success over all enemies, and that speedily.”

In official answer to his request, to be placed upon the retired list, the Secretary of War addressed Scott the following response :

“WAR DEPARTMENT, WASHINGTON, NOV. 1st, 1861.

“GENERAL: It was my duty to lay before the President your letter of yesterday, asking to be relieved under the recent act of Congress. In separating from you I cannot refrain from expressing my deep regret that your health, shattered by long service and repeated wounds received in your country's defense, should render it necessary for you to retire from your high position at this momentous period of your history. Although you are not to remain in active service, yet I hope that while I continue in charge of the department over which I now preside, I shall at times be permitted to avail myself

The Retirement of  
General Scott.



of the benefits of your wise counsels and sage experience. It has been my good fortune to enjoy a personal acquaintsnce with you for over thirty years, and the pleasant relations of that long time have been greatly strengthened by your cordial and entire co-operation in all the great questions which have occupied the department and convulsed the country for the last six months. In parting from you, I can only express the hope that a merciful Providence that has protected you amid so many trials will improve your health, and continue your life long after the people of the country shall have been restored to their former happiness and prosperity.

"I am, General, very sincerely, your friend and servant,

"SIMON CAMERON, Secretary of War."

McClellan in Chief  
Command.

McClellan assumed command of the armies of the United States in an order issued on the evening of Nov. 1st. It read:

"HEADQUARTERS OF THE ARMY, }  
WASHINGTON, Nov. 1st, 1861. }

"In accordance with General Order No. 94, from the War Department, I hereby assume command of the armies of the United States.

"In the midst of the difficulties which encompass and divide the nation, hesitation and self-distrust may well accompany the assumption of so vast a responsibility; but, confiding as I do in the loyalty, discipline and courage of our troops, and believing as I do that Providence will favor ours as the just cause, I cannot doubt that success will crown our efforts and sacrifices.

"The army will unite with me in the feeling of regret that the weight of many years, and the effect of increasing infirmities, contracted and intensified in his country's service, should just now remove from our head the great soldier of our nation, the hero who, in his youth, raised high the reputation of his country in the fields of Canada, which he

sanctified with his blood, who in more mature years proved to the world that American skill and valor could repeat, if not eclipse, the exploits of Cortez in the land of the Montezumas, whose whole life had been devoted to the service of his country, whose whole efforts have been directed to uphold our honor at the smallest sacrifice of life; a warrior who scorned the selfish glories of the battle field when his great qualities as a statesman could be employed more profitably for his country; a citizen whose declining years have given to the world the most shining instances of loyalty in disregarding all ties of birth and clinging still to the cause of truth and honor. Such has been the career and character of Winfield Scott, whom it has long been the delight of the nation to honor, both as a man and as a soldier. While we regret his loss there is one thing we cannot regret—the bright example he has left for our emulation. Let us all hope and pray that his declining years may be passed in peace and happiness, and that they may be cheered by the success of the country and the cause he has fought for and loved so well. Beyond all that, let us do nothing that can cause him to blush for us; let no defeat of the army he has so long commanded embitter his last years, but let our victories illuminate the close of a life so grand.

"GEORGE B. McCLELLAN,

"Major-General Commanding U. S. A."

This indicated the extent of the young General's powers;—he was virtual Commander-in-Chief of the entire Army of the Union. The destiny of the country was committed to his keeping. A greater trust never was confided to a younger man; nor does history show a greater trust reposed in one who had done comparatively so little to prove his fitness for the trust. Time alone could determine if he was equal to his responsibilities—if he was the leader for the crisis.

NOTE.—In reference to the Ball's Bluff disaster we state (page 343) that General Stone determined upon the movement over the Potomac on his own responsibility. This statement will be qualified only by the orders under which the General assumed to have acted. They read:

"To BRIGADIER-GENERAL STONE, Poolesville:

"General McClellan desires me to inform you that General McCall occupied Dranesville yesterday and is still there. He will send out reconnoissances to-day in all directions from that point. The General desires that you keep a good look out from Leesburg, to see if the movement has the effect to drive them away. Perhaps a slight demonstration on your part would have the effect to move them."

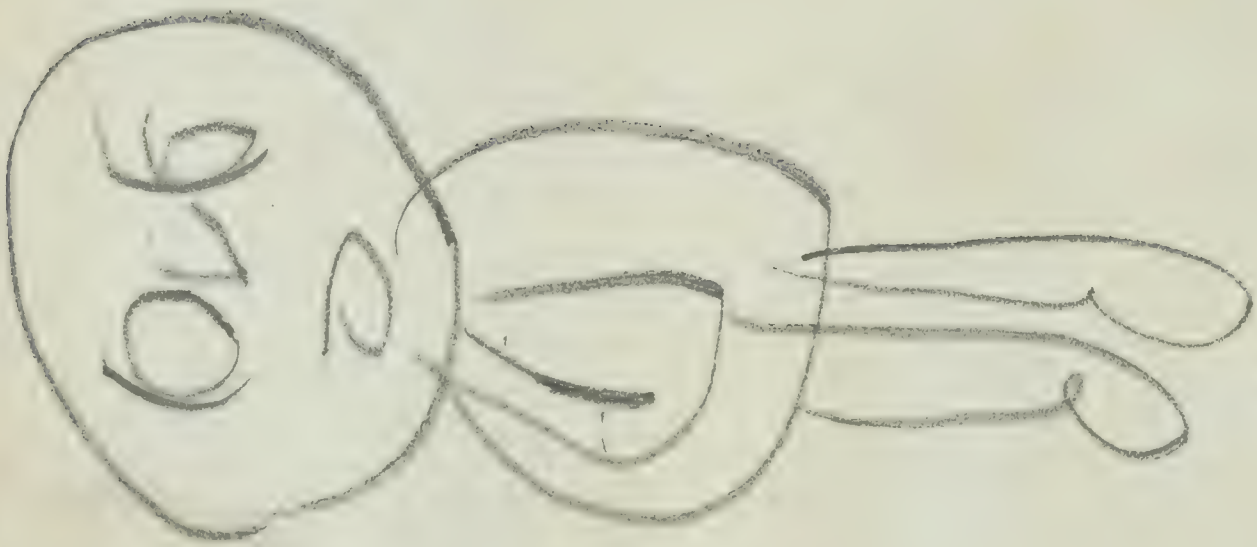
This was signed by A. V. Colburn, McClellan's Adjutant-General. Stone replied, late the same day (Oct. 20th,) that he had started a reconnoissance, &c. The advance of Gorman's force under Baker, was the "slight demonstration" of which Stone assumed the responsibility. See page 465 for McClellan's repudiation of the movement.







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## CHAPTER XI.

THE FIRST COMBINED NAVAL AND LAND EXPEDITION. BOMBARDMENT AND CAPTURE OF THE FORTS AT HATTERAS INLET. OPERATIONS IN NORTH CAROLINA. STATE OF THE BLOCKADE. THE PRIVATEER SUMTER—PRIZES. THE ATTACK ON WILSON'S ZOUAVES ON SANTA ROSA ISLAND. HOLLINS' ASSAULT ON THE BLOCKADING VESSELS. THE CONFLICT AT CHICACOMICO.

The Hatteras Expedition.

GENERAL Wool relieved General Butler Aug. 16th, 1861, of the command at

Fortress Munroe. Butler was detailed to active duty. The War and Navy Departments having arranged the first of a series of expeditions against the Southern coast, the command of the land forces was conferred upon Butler—Commodore S. H. Stringham directing the naval arm. Materials for the adventure were rapidly gathered at Fortress Munroe from the date of August 16th to the 26th, on which day the fleet took its departure. It consisted of the following vessels: frigate *Minnesota*, flag-ship, carrying fifty guns; frigate *Wabash*, fifty guns; frigate *Cumberland*, fifty guns; *Susquehanna*, eleven guns; *Pawnee*, eight guns, besides a pivot gun; *Harriet Lane*, five guns, new rifled cannon; propeller *Monticello*, six guns; steamers *Adelaide* and *George Peabody*, transports, carrying eight hundred troops, of whom eighty were regulars (artillery) under command of Captain Learned. The volunteer force was composed of one hundred and forty men from the Naval brigade, under command of Captain Nixon; three companies from the Ninth New York volunteers, under command of Colonel Hawkins; and a detachment from Colonel Max Weber's regiment, under command of Colonel W. Two or three old hulks and one or two schooners were taken in tow, with the design of sinking them at the mouths of inlets, for the purpose of obstructing navigation at the points where rebel craft were known to congregate. The tug-boats *Fanny* and *Tempest* also accompanied the expedition.

All of this fleet except the *Susquehanna* and *Cumberland* arrived off Hatteras

Nature of the North Carolina Coast.

Inlet during Tuesday, August 27th. Not until the vessels were at sea were any but the directors of the enterprize aware of the point of attack. Forts Hatteras and Clark commanded the entrance to the Sounds of Pamlico and Albermarle, whose waters were a great rendezvous for traders running the blockade. Newbern, Washington, Plymouth, all drove a brisk business in the contraband trade, affording vast supplies to the Confederate armies, as well as to the people of the South. The dangerous character of the coast, with its long lines of sand bars, and beaches reaching out into the sea, rendered that locality one particularly favorable to vessels running the blockade; while North Carolina tar, turpentine and cotton offered rich returns to the adventurous speculator. It was mainly to break up this commerce that the expedition was organized; though the ultimate purpose of a permanent occupation of North Carolina soil had much to do in encouraging the demonstration. The latent Union sentiment in the State, it was supposed, only needed the presence of Federal arms to make it felt once more.

Fort Hatteras was an exceedingly formidable battery. It was nearly surrounded by water, and was only approached by a circuitous and narrow neck of land, five hundred yards in length—that entire distance being within easy musket range from the fort. The causeway entering the fort was commanded by

Fort Hatterass.



two 32-pounders, loaded with grape and canister. The battery had a well protected bomb proof and magazine. There was found, as its armament, ten guns mounted, four unmounted and one large columbiad, ready for mounting. The secrecy and rapidity of preparation by the Federals caught the rebels somewhat unprepared for the attack—otherwise a more obstinate resistance must have followed the attempt for its capture.

Fort Clark lay about seven hundred yards away to the North. It was a small square structure, mounting five guns, 32-pounders, with two 6-pounders for land protection.

In and around these structures the enemy had gathered a force of over seven hundred men, under the chief command of Commodore S. Barron, late of the United States navy. The Seventh North Carolina volunteers, in camp and fort, were commanded by Colonel Wm. F. Martin.

The First Day's  
Bombardment.

The bombardment opened Wednesday morning, at ten o'clock, preparatory to the landing of the land forces on the beach above Fort Hatteras. The *Susquehanna*, having arrived, led off in the grand tragedy—her tremendous shells cutting the air into hissing arcs, to bury themselves in the sand of the beach for a moment, then to burst and darken the very heavens with their wild havoc. The *Wabash* followed with a solid shot, which flew shrieking close over the fort. In a short time most of the vessels were pouring their fearful hail into and around the battery, while the *Harriet Lane* hauled close into shore to cover the landing of troops from the transports at a point about four miles above the small battery. A heavy surf rolled in upon the treacherous sands. After infinite labor, and the beaching of three small boats, the landing was suspended for the day. Those already on shore—three hundred and fifteen in number—were safe under the guns of the fleet. With two pieces of artillery a portion of them bivouacked on the beach all night of the 28th. A section of the Coast Guard found its way early the next day into Fort Clark—discovered to have been abandoned.

The bombardment continued during the entire first day. No land assault was

attempted. Fort Hatteras replied with great vigor, but with little avail. Its

The First Day's  
Bombardment

gunners evidently were not skilled men in target practice. The shot and shell of the fleet made great breaches in the battery, and cut huge holes in the entire section within the enclosure. The failure to effect a landing of the assaulting force compelled the fleet to keep up its fire until darkness closed around. Then the premonitions of a coming storm added anxiety to the impatience of the Federal commanders; while the hope of enlistment, the resistless winds and the hidden shoals in their defense sent a thrill of joy through the hearts of the Confederates.

Of the day's operations General Butler, in his official report, said:

"I was on board the *Harriet Lane*, directing the disembarkation of the troops by means of signal and was about landing with them at the time the boats were stove. We were induced to desist from further attempts at landing troops by the rising of the wind, and because in the meantime the fleet had opened fire upon the nearest fort, which was finally silenced and its flag struck. No firing had been opened upon our troops from the other fort, and its flag was also struck. Supposing this to be a sign of surrender, Colonel Weber advanced his troops already landed upon the beach.

"The *Harriet Lane*, Captain Faunce, by my direction, tried to cross the bar to get in the smooth water of the inlet, when fire was opened upon the *Monticello*, which had preceded in advance of us from the other fort. Several shots struck her, but without causing any casualties, as I am informed. So well convinced were the officers of both navy and army that the forts had surrendered at that time that the *Susquehanna* had towed the *Cumberland* an offing. The fire was then reopened, as there was no signal from either, upon both forts. In the meantime a few men of the Coast Guard had advanced up the beach, with Mr. Wiegel, who was acting as volunteer aid, and whose gallantry and service I wish to commend, and took possession of the smaller fort, which was found to have been abandoned by the enemy, and raised the American flag there.

"It had become necessary, owing to the threatening appearance of the weather, that all the ships should make an offing, which was done with reluctance, from necessity, thus leaving the troops upon shore, a part in possession of the small fort about seven hundred yards from the large one, and the rest bivouacked upon the beach near the place of landing, about two miles north of the forts."



The Second Day's  
Bombardment.

On the morning of the 29th, the cannonade opened early. A cloudless sky and a clear sea blessed the cause of the assailants. During the night a transport heavily laden with troops reenforced the fort, running down the Sound which was yet open. Fort Clark was occupied by the Federal forces, and refused its aid to assist its late confederate. The conflict soon raged with extreme vigor on both sides. At eleven o'clock the Confederate flag fluttered uneasily a moment—then ran down the halcyards and a white flag was slowly run to the peak. Butler put ashore in the tug *Fanny* to learn the Confederates' wish. He said:

"I then went with the *Fanny* over the bar into the inlet. At the same time the troops under Colonel Wilder marched up the beach, and signal was made from the flagship to cease firing.

"As the *Fanny* rounded in over the bar, the rebel steamer *Winslow* went up the channel having a large number of rebel troops on board, which she had not landed. We threw a shot at her from the *Fanny*, but she proved to be out of range. I then sent Lieutenant Crosby on shore to demand the meaning of the white flag. The boat soon returned, bringing Mr. Wiegel, with the following written communication from Samuel Barron, late Captain in the United States Navy:

## "MEMORANDUM.

"Flag officer Samuel Barron, Confederate States Navy, offers to surrender Fort Hatteras, with all arms and munitions of war, the officers allowed to go out with side arms and the men without arms to retire. S. BARRON.

"Commanding Naval Defense Virginia and North Carolina.

"FORT HATTERAS, Aug. 29th, 1861."

"Also a verbal communication stating that he had in the fort six hundred and fifteen men, and a thousand more within an hour's call, but that he was anxious to spare the effusion of blood.

"To both the written and verbal communication, I made the reply which follows, and sent it by Lieutenant Crosby.

## "MEMORANDUM.

"Benjamin F. Butler, Major General United States Army commanding, in reply to the communication of Samuel Barron, commanding forces at Fort Hatteras, cannot admit the terms proposed. The terms offered are these:

"Full capitulation.

"The officers and men to be treated as prisoners of war.

"No other terms admissible.

"Commanding officers to meet on board flagship *Minnesota* to arrange details.

"August 29th, 1861."

It was three quarters of an hour before Lieutenant Crosby returned. He brought

with him Commodore Barron, Major Andrews and Colonel Martin. They came

The Surrender of the  
Forts.

to accept the terms, and to surrender themselves, their forts and forces, to the Federal commander. Articles of capitulation were signed on board the flag-ship *Minnesota*. Butler then landed and took formal possession of the largest fortification. The number of prisoners surrendered was six hundred and fifteen, who were all placed on the *Minnesota*. In four days time they were in New York harbor. Butler stated his captures and measures, in the following congratulatory strain, in his report to General Wool:

"I may congratulate you and the country upon a glorious victory in your department, in which we captured more than seven hundred prisoners, twenty five pieces of artillery, a thousand stand of arms, a large quantity of ordnance stores, provisions, three valuable prizes, two lightboats and four stands of colors, one of which had been presented within a week by the ladies of Newbern, N. C., to the North Carolina defenders.

"By the goodness of that Providence which watches over our nation, no one, either of the fleet or army, was in the least degree injured. The enemy's loss was not officially reported to us, but was ascertained to be twelve or fifteen killed and died of wounds, and thirty-five wounded."

The first design, it would appear, was to destroy the forts, stop up the channel with old hulks and to return, temporarily at least, to Fortress Monroe with the entire force; but, the place proved to be so strong that Butler left Weber and Hawkins' commands in possession. The *Pawnee* and *Monticello* drew inside, over the bar, to provide against any attempt by the Confederates to recapture their lost prize. No immediate effort, however, was made by the rebels to regain the place. The loss of the six hundred men, and the fear of further advances up and down the Sounds, threw the Confederates, for some time, on the defensive.

For a number of days succeeding the capture, vessels running the blockade continued to reach the Inlet with their valuable cargoes. In all cases they fell a prey to the gunboats snugly moored inside. The losses of English merchants, and of their "Southern friends" whose headquarters were at Nassau and Hali-

## Prizes.



fax, were serious. A fine ship, loaded with cotton, was found in the Inlet and seized on the 29th. Seven vessels slipped into Federal hands in the course of the two weeks following.

The blockade continued to be enforced as well as the extensive and intricate coast line would permit; but August and September saw a great number of rebel merchantmen abroad, while the occasional capture of vessels floating the stars and stripes proved that Jefferson Davis' Letters of Marque were rendered available to legalize piracy and murder on the high seas.

On the 1st of July, 1861, the privateer *Sumter*, Captain Semmes, cleared the blockading squadron, off the Mississippi river passes, to enter upon a career of unexampled boldness and success. She made captures in the waters of the West Indies to the number of twelve or fifteen, in three weeks time; then stood in for the English port of Nassau, New Providence, where she was kindly permitted to take in coals and all necessary supplies, at the same time disgorging her hold of its heavy treasures. She then put to sea to become quite a terror to commerce. Several fast steamers were dispatched in her pursuit—one of which found her at Nassau, but was refused the rights of harbor tarry; and the pirate, after leisurely coaling and refitting, passed out to sea one dark night—an English steamer, similar in appearance, putting out before her to draw away the vigilant Federal cruiser.\* The ruse succeeded, and

\* The English authorities openly served "the cause" on another more remarkable occasion, when the rebel steamer *Nashville* was permitted to leave Southampton, and the Federal gunboat *Tuscarora* was detained for the space of twenty-four hours to give the rebel craft an opportunity for escape. An English frigate lay alongside the *Tuscarora*, with fires up and guns shotted, to prevent the gunboat from pursuit. This act was by decision of the Ministry. It was only one of many instances where *neutrality* was practiced to aid the rebel cause. Without having formally recognized the Southern States as a power, the English Government conceded them all the rights of a belligerent. The *Nashville* having put into Southampton November 21st, 1861, after having burnt the clipper ship *Harvey Birch*, within

the *Sumter* again skimmed the water to the great destruction of shipping and goods. After much endeavor to force her into close quarters, the U. S. gunboat *Tuscarora* succeeded in catching the privateer in the English harbor of Gibraltar, where she had put in for supplies and to communicate with her friends. The Federal gunboat anchored in the harbor of Algeiras, opposite, where she lay for many weeks, holding the pirate craft a close prisoner. The *Tuscarora*, was after several weeks, relieved of her guard duty by the *Kearsage* and betook herself to English harbors to watch the course of the *Nashville*—with what success we detail in the footnote below. The *Sumter*, thus confined, was abandoned by her captain and crew, who sought for and found in English ship yards another craft with which to prey upon commerce. It is consoling to know that Captain Semmes' second ship, the *Alabama*, destroyed much property belonging to Her Majesty's subjects, afloat in American bottoms.

The Confederates hastened, after their success at Bull Run, to the lines of the Potomac below Washington, erecting powerful batteries at Acquia Creek, Pig Point, and at other positions commanding the approach to the Capital by the river. The navigation of the river, in consequence, soon became dangerous, though the Union gunboats, by their constant vigilance, kept the Confederates, up to the middle of October, from closing the stream to transportation. The vast army around the Capital required supplies which the river was requisite to furnish with economy and dispatch. Its blockade, therefore, became a serious matter to the Commissariat; yet, week after week witnessed the growth of batteries and the gradual sealing of the stream and no special effort was made to check their progress. By October 20th the blockade was quite complete, and so remained until after the evacuation of Manas-

Blockade of the Potomac.

sight of the English coast, (November 19th,) was allowed to sail February 3d, 1862; the rebel Commissioners, Mason and Slidell, arrived in London January 30th. Their friends pointed to their release by English threats, and to the Federal gunboat lying under British guns, as evidence of the spirit of the Ministry.



Blockade of the Potomac.

sas (February 8th. 1862)—a period of over three months—during which time

the navigation of the Potomac was almost entirely suspended. Only an occasional adventurer, favored by wind and tide and covered by darkness, passed up or down. Even the powerful gunboats were driven from their old haunts—so completely were the Confederates entrenched. As the line of the Baltimore and Ohio railway was in Confederate hands, at Harper's Ferry the isolation of Washington became a painful reality—the remaining avenues of approach being by the single railway from Baltimore and by the out-of-the-way Annapolis track—both located in a State secure from insurrection by the constant presence of heavy Federal columns at commanding points. Who was responsible for the blockade? Not the Navy Department, since its gunboats and tugs struggled against the batteries, unaided, until powerless before the multitude of guns. The hope of the War Department was to open the Potomac by forcing the rebels back from Manassas; but, the long delay in obtaining Manassas proved disastrous to that hope, and to the General-in-Chief of the Army wholly belongs the credit or discredit of that long continued and mortifying blockade.

Operations of the Blockading Squadron.

During all the hot season, when it was supposed operations on the Gulf coast were impossible to unacclimated men, the blockade was not intermitted. Off New Orleans, Galveston, Mobile, Pensacola, Apalachicola, as well as up the Atlantic coast to Beaufort, North Carolina, the squadrons hovered, everywhere striving to do their arduous duty. If many fleet steamers, with valuable cargoes of supplies to the Confederate army and people, passed in and out—if an occasional privateer eluded the vigilance of the Federal look-outs—it was owing to the intricate nature of a coast line numbering hundreds of harbors—many of them having several entrances. A fleet, numerous enough to have guarded every inlet, pass, bayou, gulf, and river mouth, would have counted its keels by hundreds. The many captures made all along the coast, attested the alertness of those on the wearisome duty.

Affairs at Pensacola.

Pensacola harbor, for many months after the fall of Sumter, became a point of unabated interest. Fort Pickens, under command of Colonel Harvey Brown, assumed a position of efficiency which defied the power of General Bragg and his batteries. Lining the low sand beach for several miles with powerful guns, the rebel General made Pickens the centre of a circle into which to pour his hail of iron; but, the storm, though threatened and expected, never occurred—why, is among the unwritten mysteries of Bragg's Pensacola campaign.

The dreary monotony of that sleepy region was disturbed on the night of October 9th, (1861,) when the Confederates, about fifteen hundred strong, crossed to Santa Rosa island for the purpose of destroying the camp of Wilson's Zouaves (the Sixth New York volunteers) lying about two miles away from Fort Pickens. The enterprise was regarded as an offset to the bold affair of

The Attack on Wilson's Zouaves.

Sept. 13th, when Lieutenant Russel, with his boat's crew, destroyed the privateer *Judah*, under the guns of the Navy Yard. The rebel design was to rout the Zouaves, and, if successful, to make a bold dash for the Fort, from the east or land side, spiking the outlying batteries and following the Zouaves into the fortification. The night chosen was one of inky darkness, during which the Confederates passed over, and, having landed at a point some eight miles away, came down cautiously upon the camp. The transports remained close in upon the beach, in order to be on hand for emergencies. The camp contained but two hundred and fifteen of the Zouaves—the remainder of the regiment being absent at Tortugas and intermediate localities. The attack was made by the enemy in three columns of about five hundred each. The soft sand of the island so deadened the sound of approaching feet that the sentinels were engaged at their posts and the camp assailed at three points before they were aroused. Colonel Wilson and his men instantly turned out, and measures were taken to repel the assault. Detachments were detailed to meet the flanking columns, while another body prepared to meet the centre.



The Attack on  
Wilson's Zouaves.

General Anderson led on his men with loud cries of "No quarter to Wilson's men." He penetrated to the Quartermaster's department, in the rear of the Colonel's quarters. The conflict was of the most desperate and stubborn character. It raged from four o'clock in the morning until half-past eight. Colonel Wilson's quarters were totally destroyed, as were those of most of his men. About five o'clock reinforcements of regulars from the Fort came to their assistance, Captain Hildt's and Captain Robertson's companies, and two companies under Major Arnold, in all about one hundred and fifty men. Captain Dobie, with company A, of Colonel Wilson's regiment, also came up at the same time. The total number of the Union troops at this time was about four hundred and fifty men—none of the companies on Santa Rosa Island, either regulars or volunteers, being full. As the day began to break the rebels sadly realized that the chance to carry out their original plan of annihilating Colonel Wilson's regiment was gone, and as the Union forces at this time made several brilliant charges, the enemy sounded a retreat.

Then commenced a contest in which both parties showed remarkable valor and tenacity. The regulars fought with a steady will that greatly served to tone down the desperate courage of the Zouaves who were, at all moments, ready for the hand to hand encounter. The line of the retreat was contested, for eight miles, when the Confederates gained the shore and commenced their reembarkation. They sought to cover their escape but suffered severely. Charge after charge was made by the Zouaves and regulars—in all instances with success. The steamer and scows used as transports were fairly riddled by the rifle balls of the Federalists. One scow finally swamped under its over load, and the steamer had to receive, under fire, the bulk of the rebel force—or so much of it as had not been killed, wounded, taken prisoners or scattered over the sand wastes. Thirty were secured as prisoners and twenty-one were buried by Wilson's men. The entire rebel loss, in killed, wounded, drowned and prisoners, was ascertained to exceed three hundred. The Federal loss was: Zouaves,

ten killed, sixteen wounded and nine prisoners; regulars, four killed, twenty wounded and ten prisoners.

This affair served, for the moment, to break the *ennui* of that lonely island occupation. It greatly inspirited the field forces and the garrison. Their only pastime, for months had been alligator hunting and snake chase—the islands and adjacent lagunes bearing prolific crops of these loathesome creatures. After the fight, however, matters subsided again, and Bragg's five thousand men did little else than fight the coast fever and mosquito during their further stay in that vicinity. The rebel commander, notwithstanding his long line of batteries, enveloping Pickens like a terrible half-moon, never essayed the task of "driving the Federals out like hornets" from their frowning fortress.

The blockading squadron off the Mississippi river mouths was excited by a rather unique diversion of the redoubtable Commander Hollins, whose bombardment of the adobe huts of San Juan was his latest naval exploit. The Commander planned an expedition of fire rafts, gunboats and a ram, against the blockading vessels then infesting the river above the passes, to the entire exclusion of commerce with the Southern metropolis. He proposed to "raise the blockade" by sinking the squadron. The rebel gunboat *Ivy* came down the river on the 9th of October (1861) to reconnoitre and challenge the vessels to a long range fight. As she had performed the same service several times, no unusual importance was attached to her visit although the evidence of a new rifled gun of long range on her decks, was rendered rather unpleasantly evident to the Federal steamer *Richmond*, and the ships *Preble* and *Vincennes*. The 10th and 11th passed without any further demonstration; but, at three A. M. of the 12th the *Richmond* was startled by a shock from an ugly looking monster, which suddenly burst out of the darkness and came steaming down like a messenger of vengeance. She struck the *Richmond* abreast the port channels, raking a coal transport from the steamer's lashings, and making an ugly hole in the ship's side—three planks being stove in two

The Attack on  
Wilson's Zouaves.

Commander Hollins' Attack on the Blockading Vessels.



Commander Hollins' attack on the Blockading Squadron. The men were quickly at their quarters, and, as the ram passed abreast the ship, the entire port battery gave the adventurer a salute of iron hail. The *Richmond's* cable was then slipped and she proceeded to drop down the river—the other ships of the blockade being signalled to pass on ahead, while the *Richmond* covered their exit by way of the S. W. pass, to the Gulf. The ram did not again make her appearance. The river above presented a somewhat startling spectacle. A line of blazing fire rafts stretched entirely across the channel, bearing down upon the squadron with the current. Behind them, to assist in the consummation of the proposed destruction, were five steamers, well armed and of light draught, ready to play upon the Federal ships from any quarter. The *Preble* passed the bar in safety, but the *Vincennes* and *Richmond* grounded. Captain Pope in his report said:

"This occurred about eight o'clock, and the enemy, who were now down the river with the fire steamers, commenced firing at us, while we returned the fire from our port battery and rifled gun on the poop—our shot, however, falling short of the enemy, while their shell burst on all sides of us, and several passed directly over the ship.

"At half-past nine Commander Handy, of the *Vincennes*, mistaking my signal to the ships outside the bar to get under way for a signal to abandon his ship, came on board the *Richmond* with all his officers and a large number of the crew, the remainder having gone on board the *Water Witch*. Captain Handy before leaving his ship had placed a slow match at the magazine. Having waited a reasonable time for an explosion, I directed Commander Handy to return to his ship with his crew, to start his water, and if necessary, at his own request, to throw overboard his small guns, for the purpose of lightening his ship, and to carry out a kedge with a cable to heave off by. At ten A. M. the enemy ceased firing, and withdrew up the river. During the engagement a shell entered our quarter port, and one of the boats was stove by another shell."

The two ships were dragged over the bar safely during the day. Captain Pope stated that he would have stopped at Pilot-town (the junction of the passes), and there have given battle, but the great length of the flag ship would not allow her to wind so as to

present a broadside. She had, therefore, to fight with her head down stream.

On the success of this "expedition" the New Orleans people counted with confidence. It was a well conceived plan for ridding the river of a provoking obstruction; but, it was so badly executed as to result in nothing. The report of Commodore Hollins, however, made it a grand success. It read:

Hollins' Report.

"FORT JACKSON, Oct. 12th, 1861.

"Last night I attacked the blockaders with my little fleet. I succeeded, after a very short struggle, in driving them all aground on the Southwest Pass bar, except the *Preble*, which I sunk.

"I captured a prize from them, and after they were fast in sand I peppered them well.

"There were no casualties on our side. It was a complete success. HOLLINS."

The prize referred to was the coal transport cut away from the *Richmond's* side on the first shock of the ram. No Federal vessel was sunk nor any disabled. The Commodore rested on his honors, and was heard of no more. But to him belongs the credit of having first *tried* the principle of the water ram, and his partial success served to incite those other efforts, in the same direction, which resulted in the introduction of a new and most-powerful agent of destruction.

The Confederates were further delighted, at this time, by the escape from Charleston S. C. harbor, (October 11th,) of the steamer *Nashville*, having on board a valuable cargo of cotton and turpentine. Also of the steamer *Theodora*, October 12th, with the Commissioners extraordinary of the Southern Government to the Courts of St. James and St. Cloud, viz: James M. Mason of Virginia, and John Slidell of New Orleans. The *Nashville* passed out of the harbor on the night of Friday, October 11th, under command of Captain Robert B. Pegram, formerly of the United States navy. She was a fine fleet craft, stolen from her New York owners by the South Carolina "authorities," before the date of President Lincoln's proclamation of April 13th, with the design of making her the nucleus of the proposed Confederate navy. Could those authorities have been as successful in "appropriating" Government vessels

Escape of the Nashville, &c.



Escape of the Nashville, &c.

as in other preparatory plunder of the resources of the United States, they might have had a navy with which to defend their harbors quite effectually. The *Theodora* passed out the night following the *Nashville's* escape, running direct for Cardenas, Cuba. The drama of their arrest by the vigilant Commander Wilkes, was soon to follow, forming one of the most exciting and important events of the year.

The Chicacomico Affair.

A somewhat remarkable conflict occurred on the Hatteras beach, Oct. 4th and 5th, which deserves more than a brief Summary allusion.

The 20th Indiana regiment, Colonel Brown, was dispatched by Colonel Hawkins—commandant at the fort—to form a camp at Chicacomico, a settlement about forty miles south of the Inlet, where a number of Unionists were understood to dwell. The camp was formed for their protection. The regiment proceeded, late in September, to the point named, in the propeller *Fanny*, accompanied by the gunboats *Ceres* and *General Putnam*. Nothing transpired to cause alarm until the capture, by the rebels, of the *Fanny*, on the 29th of September, when she was proceeding from the fort to the camp, with a full cargo of stores and forty men, chiefly belonging to the 30th Indiana and 9th New York regiments. This capture was effected by three armed steamers. It much encouraged the enemy, and a bold descent was arranged, by which the camp of Colonel Brown was to be cut off and the troops captured. It was also determined to “punish” those Union families at Chicacomico, who had given the Federalists such warm welcome.

Early on the morning of October 4th, Colonel Brown discovered five rebel steamers, with flatboats and schooners in tow, emerging from Croatan Sound, steering for the Federal encampment. Colonel Brown lost no time in communicating these facts to Colonel Hawkins at the Fort, informing him that he would retreat to the lighthouse at Cape Hatteras. The steamers succeeded in landing over fifteen hundred men about three miles above Colonel Brown's position, and proceeded to land troops further down, their policy

being to cut off Brown's retreat. This, however, they failed to do, for Colonel

The Chicacomico Affair.

Brown destroyed whatever property was not portable, and, after a double quick march through the sand, reached the lighthouse in the evening, with the loss of about fifty—most of them being stragglers, and officers trying to reclaim them, taken prisoners.

Colonel Hawkins, apprised of this attempt to bag the whole regiment, at once communicated with the fleet, and then marched with six companies, to the lighthouse, to reinforce Colonel Brown. Of the fleet, the *Susquehanna* and *Monticello* were present. These vessels at once moved up to the vicinity of the lighthouse. Thus affairs stood during the evening and night of the 4th. On the following morning, the *Monticello*, commanded by Lieutenant Braine, doubled the cape and proceeded along the shore to look for the enemy. The vessel had not gone far when the rebels were seen, whereupon the *Monticello* opened fire. The exploding shells did the work proposed. Not only were the rebels scattered in every direction, but, owing to the precision with which the shells were thrown, many were killed, wounded or driven to the water. It is said that a single shell, entering the side of one of the schooners, exploded in her hold, filling the air with the wreck, mingled with the remains of human beings. It was an appalling sacrifice. The level and barren beach, being but three-fourths of a mile in width, afforded no spot of refuge from the terrible missiles, which not only swept the sands, but were dropped among the vessels beyond. Dead bodies strewed the beach and sank in the water. Accoutrements, guns, clothing, musical instruments were flung aside in despair, and each soldier sought such place of refuge as the barren spot offered—a sand heap—a clump of bushes, a scrub oak or holly tree. For three and one half hours the rain of shot and shell was not intermitted, and only ceased when night drew its pitying veil over the field. The *Monticello* having expended over a hundred and eighty shells withdrew to the cape. The forces there then marched to the Fort, accompanied by the families of Unionists who had fled from Chicacomico to avoid



the threatened vengeance of their fellow citizens from the mainland. It was a mistake in the Federal commander not to have moved his forces up the beach to co-operate with the *Monticello*. Had there been a few companies present the entire rebel force would, doubtless, have been secured. As it was, the disaster covered the enemy with confusion, and sent an alarm through the rebel heart at the mention of the word gunboat. Yet, the secession journals, true to their old instincts,

gave forth accounts astonishing for their mis-statements. The *Norfolk Day Book*, then considered good authority, reported only one man wounded; and, to the latest day, when the carnage was confessed by those engaged in the expedition, that journal never gave any other statement of the disaster. The truth, in that instance as in many others, was not calculated to "fire the Southern heart"—therefore it was suppressed. The actual rebel loss was never published.

## CHAPTER XII

STATE OF PUBLIC FEELING AT THE NORTH DURING THE FALL OF 1861. FORCES IN THE FIELD, FEDERAL AND CONFEDERATE. THE FEDERAL CONFISCATION ACT AND ITS ENFORCEMENT. SEWARD'S CIRCULAR TO THE GOVERNORS. GOOD CONDITION OF GOVERNMENT FINANCES. THE BALTIMORE BOARD OF POLICE.

Unity of the War Feeling.

THROUGHOUT the North public sentiment remained, up to the meeting of Congress in December (1861), a unit on the policy of a vigorous prosecution of the war. Scarcely a voice was raised, throughout the whole domain of the Free States, for peace or in justification of the Southern movement. This solidity of feeling and purpose gave the Administration great cause for satisfaction, filling, as it did, its armies, its coffers, its commissariat, and indicating the straight forward course to pursue. No government could have been more loyally or more materially sustained.

August 2d, the extra session of Congress passed its War tax and modified tariff bills, supplying the National exchequer with funds for immediate use. The Army bill authorized an equivalent of five hundred thousand men for active service, including all arms of infantry, cavalry and artillery. Under this act enlistments were active, and generals in the field found themselves with men ade-

quate to the great task of suppressing the rebellion *vi et armis*. Up to August

Legislation. The National Army.

15th, the States had answered the President's first and second calls thus prodigally:

	Inf.	Cav.	Art.	Total.
Connecticut.....	4,188	100	—	4,288
Illinois.....	41,000	8,000	—	49,000
Indiana.....	30,000	2,000	500	32,500
Iowa.....	16,100	3,600	—	19,700
Kansas.....	4,000	1,000	200	5,200
Massachusetts.....	29,000	—	350	29,350
Maine.....	8,000	1,200	—	9,200
Michigan.....	18,784	5,800	300	24,884
Minnesota.....	3,000	—	—	3,000
New York.....	85,000	5,000	500	90,500
New Jersey.....	9,000	—	—	9,000
New Hampshire.....	5,000	—	200	5,200
Ohio.....	63,000	3,500	600	67,100
Pennsylvania.....	51,000	4,000	800	55,800
Rhode Island.....	2,628	—	750	3,378
Vermont.....	5,000	100	—	5,100
Wisconsin.....	10,000	1,200	1,100	12,300
Total.....	384,700	35,500	5,300	425,500

To these enormous numbers must be added the National and State troops provided by Kentucky and Missouri, viz:

	National.	State.
Kentucky.....	8,600	17,000
Missouri.....	9,500	19,500

Also the quotas supplied by the following States and the District of Columbia, viz:



California .....	4,800	Maryland. ....	3,600
Delaware.....	1,600	Dist. Columbia.....	1,750

Also the enlistments in the regular service numbering about 9,500.

Giving, as the grand total of men enlisted in the Union cause, from April 15th to August 15th, (1861,) the aggregate of four hundred and ninety-nine thousand two hundred and fifty. At the date last named there were, in the field, about three hundred and seventy-five thousand men. Of this vast mass McClellan had (at the date of Sept. 14th) in the immediate Department of the Potomac (including the Departments of Annapolis, Lower Virginia, and the defenses around Washington,) one hundred and eighty thousand men of all service. One month later, the Commanding-General held two hundred and sixty thousand men under call, with which to assail the Confederate Capital.

Confederate Forces in the Field

The Confederate forces enlisted up to August 1st, were put down by rebel writers at three hundred and twenty thousand; but, it is certain that no such numbers were in the field at that time. In Eastern Virginia there were not to exceed one hundred and twenty thousand at any time prior to the evacuation of Manassas Junction (February 8th, 1862). In Western Virginia not to exceed twenty-five thousand. In Tennessee, up to the fall of Nashville (Feb. 25th, 1862,) not to exceed one hundred thousand. In Missouri, up to the battle of Pea Ridge (March 6th, 8th, 1862), not to exceed thirty-five thousand. These figures are outside estimates, drawn from the concessions of the Southern authorities after their several defeats in the departments named; and, from a careful collaboration of accounts bearing on this question, we are prepared to state with confidence that, at no time prior to the advance on Richmond from Yorktown (May 2d, 1862), had the Confederate generals more than *two thirds* the number of *available* men, at any particular point, than were at the disposal of the Union commanders. The great diversity of opinions and statements on this point renders exactness of estimate impossible; still, we are confident that we have closely approximated to the truth in our figures and assumptions.

The Confiscation Act  
passed by the extra session

The Confiscation Act.

of Congress, was, to some extent, enforced. This important measure and the proclamation for its enforcement we subjoin:

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employee, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons, engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated and condemned.

*"Sec. 2. And be it further enacted,* That such prizes and captures shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, and into which they may be taken and proceedings first instituted.

*"Sec. 3. And be it further enacted,* That the Attorney-General, or any district attorney of the United States in which said property may at the time be may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such an attorney, in which case the proceedings shall be for the use of such information and the United States in equal parts.

*"Sec. 4. And be it further enacted,* That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States; or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any



fort, navy-yard, dock, armory, ship, intrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

"Approved, August 6th, 1861."

The Proclamation for the enforcement of this Act was as follows :

"WASHINGTON, Friday, Aug. 16th, 1861.

The President's Proclamation.  
*Whereas*, On the 15th day of April, the President of the United States, in view of an insurrection against the laws, Constitution, and the Government of the United States, which had broken out within the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana and Texas, and in pursuance of an act entitled 'An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for that purpose,' approved Feb. 29th, 1795, did call forth the militia to suppress said insurrection and cause the laws of the Union to be duly executed, and the insurgents have failed to disperse by the time directed by the President; and *whereas*, such insurrection has since broken out and yet exists within the States of Virginia, North Carolina, Tennessee and Arkansas; and *whereas*, the insurgents in all the said States claim to act under authority thereof, and such claim is not disclaimed or repudiated by the person exercising the functions of Government in each State or States, or in the part or parts thereof in which combinations exist, nor has such insurrection been suppressed by said States.

"Now, therefore, I, Abraham Lincoln, President of the United States, in pursuance of an act of Congress, July 13th, 1861, do hereby declare that the inhabitants of the said States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi and Florida, (except the inhabitants of that part of the State of Virginia lying west of the Alleghany Mountains, and of such other parts of that State, and the other States hereinbefore named, as may maintain a loyal adhesion to the Union and the Constitution, or may be from time to time occupied and controlled by the forces engaged in the dispersion of said insurgents,)

are in a state of insurrection against the United States, and that all commercial intercourse

The President's Proclamation.

between the same and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other States and other parts of the United States is unlawful, and will remain unlawful until such insurrection shall cease or has been suppressed; that all goods and chattels, wares and merchandise, coming from any of said States, with the exceptions aforesaid, into other parts of the United States, without the special license and permission of the President, through the Secretary of the Treasury, or proceeding to any of said States, with the exceptions aforesaid, by land or water, together with the vessel or vehicle conveying the same, or conveying persons to and from said States with said exceptions will be forfeited to the United States, and that from and after fifteen days from the issuing of this proclamation, all ships and vessels belonging in whole or in part to any citizen or inhabitant of any of said States with said exceptions, found at sea or in any port of the United States, will be forfeited to the United States, and I hereby enjoin upon all District Attorneys, Marshals, and officers of the Revenue and of the Military and Naval forces of the United States, to be vigilant in the execution of said act, and in the enforcement of the penalties and forfeitures imposed or declared by it, leaving any party who may think himself aggrieved thereby to his application to the Secretary of the Treasury for the remission of any penalty or forfeiture, which the said Secretary is authorized by law to grant, if, in his judgment, the special circumstances of any case shall require such remission.

"In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

"Done in the City of Washington, this 16th day of August, in the year of our Lord 1861, and of the Independence of the United States the eighty-sixth.

"ABRAHAM LINCOLN.

"By the President,

"WM. H. SEWARD, Secretary of State.

This act, though qualified by its title to cover

Nullity of the Act.

only such property as had been "used for insurrectionary purposes," was designed to be retaliatory. The friends of the Slave regarded it as the first step towards his enfranchisement. But, it soon came to be regarded as a dead letter in spite of its Congressional authority and Executive endorsement. No commander of a department saw it enforced, if we except Fremont's attempt in Missouri,



Nullity of the Act. and some few cases under General Butler's rule in New Orleans. Rather, it was set aside, and orders were promulgated by officers of all grades, forbidding slaves within their lines—thus denying them the protection guaranteed by the act and bidding the law defiance,\*

Seizures of Rebel Property. Seizures for confiscation were made in New York early in September, under the act of July 30th, 1861. This professedly provided "for the collection of duties on imports and for other purposes," but was particularly designed to confiscate rebel property in vessels or afloat. Section 6th of this act we may quote:

"Sec. 6. *And be it further enacted*, That from and after fifteen days after the issuing of the said proclamation, as provided in the last foregoing section of this act, any ship or vessel belonging in whole or in part to any citizen or inhabitant of said State or part of a State whose inhabitants are so declared in a state of insurrection, found at sea, or in any part of the rest of the United States, shall be forfeited to the United States."

Under the provisions of this law the Surveyor of the port of New York proceeded against numerous parties; but, the interpretation given to the act by the Secretary of the Treasury in regard to forfeitures and penalties, as well as transfers and sales, real or fictitious, made by owners of the property seized, served to render the law almost inoperative. The processes for its enforcement revealed the fact that there existed, in commercial circles, a large and powerful class who were ready to oppose every act for the sequestration or confiscation of the property of disloyal Southern men. Having been associated with the South in business relations, their commercial sympathies were stronger than their loyalty; and, though comparatively silent during the early stages of the rebellion, they were not therefore harmless, for they became the nucleus of the party which resolved that treason should not work attainder.

\* A Kentucky court, sitting in judgment on the law, in October, 1862, declared it to be unconstitutional and set aside the confiscation ordered in the case tested. The Emancipation act proclaimed September 23d, 1862, would have been deemed unconstitutional by the same ruling.

This class grew stronger with the slow progress of the Federal arms. In the

Opposition to the Administration.

fall of 1862, it took the open form of opposition to the Administration, and proved strong enough to elect several of its candidates to the responsible positions of Governors, Congressmen, &c. The distinctive issue assumed was the President's exercising *unconstitutional* powers in conducting the war—in suspending the writ of *habeas corpus*—in arresting and incarcerating citizens without examination or trial—in forbidding the publication of newspapers by excluding them from the mails—in the promulgation of edicts of confiscation and emancipation: all of which this opposition assumed were "usurpations of power." These issues were galvanized by the ever popular cry of "danger to liberty;" hence, soon gained the strength of a powerful movement in their support.

The question of the right to suspend the privileges of the *habeas corpus* writ already has been adverted to (Judge Taney's counter-opinion being given at length in the Appendix to this volume). The defense relied upon by the President, on the other counts of this "unconstitutional" indictment, like that assumed in the *habeas corpus* proceedings, was simply his right and duty, in time of war and great public danger, to use *every* proper and necessary power to suppress treason, restrain revolution and overthrow conspiracies for evil. In his two capacities of Chief

The President's Defense.

Executive of the Constitution *and Laws*, and Commander-in-Chief of the Army and Navy, he not only is properly empowered to enforce obedience to the law of the land, but is *required* to do so by his oath of office. His failure to perform these functions is cause for his impeachment. In time of national danger and war—the Constitution never contemplated, nor expressly provided, for, a state of insurrection and revolution—he is expected by usage, and enjoined by law, to assume such powers as are absolutely necessary for the public safety—to control interests and persons both at home and abroad, and to supersede, to the extent that *he* shall judge necessary, domestic or foreign law, for *military* reasons. (Const. U. S., Art. 2: 17 John. R.



The President's  
Defense.

52; 1 Curtis' C. C. R., 308;  
4 Whea. 259; 9 How. W.  
S. R., 603; 13 Ib., 115; 16

Ib., 164; Gardner's Institutes, 33, 35, 78, 208, 600-680.) These powers, it is true, are exceptional in their exercise: but that they *are* powers conferred admit of little doubt. [See page 118]. If there is, or was, a question of propriety in their assumption, the decision for or against the Executive must turn upon the fact whether or not the public safety and preservation of the country necessitated the course pursued. Upon that point there was, at the time, no dissent among those loyal men who sought to crush revolution, and to *punish* its abettors.

Disloyal men, in arms against the Constitution and laws, were loud in their assaults upon the President for "usurping" unconstitutional powers; and their friends in the North were their echoes—for what reason it is scarcely necessary to inquire, when the proclivity for office and place of a large class of men is considered. Such men, it was to be presumed as a matter of course, would seize upon *any* issue which promised to give them a party and to restore their lost commissions. In answer to those who may assume, with those of the opposition, that the President arrogated extra Constitutional powers, we may quote from an eminent authority the general view entertained by the friends of the Administration:

"The President's powers are both discretionary and supreme. No Court or Judge can review his martial acts or his decisions in war. Impeachment is the remedy, if he intentionally and wrongfully exercises powers. No action or *habeas corpus* can lie or be employed against the President or his officers to examine, defeat, or control this high constitutional and beneficent authority. (Ib.: 11 How., 272, 284; 4 Whea., 634. Gardner Inst., 274, 275, 364.) The military power of the Commander-in-Chief, *by the Constitution*, has no limit but the necessities of a foreign or civil war, and of these he and his commanders are the *sole judges*. (Ib.) Hence, all persons and things having relation to such war, or to its successful prosecution, are subject to the President's martial control. He can declare martial law in any city or place, though a general suspension of the *habeas corpus* in a State may perhaps require an act of Congress. He may stop all intercourse by sea or by land, by mails, by express or otherwise.

He may stop or arrest presses or persons giving information, or aid, or comfort, to such do-

mestic or foreign enemy. He may arrest, try by court-martial and punish all persons aiding an armed foreign or domestic foe in any manner, such judgment being approved by Congress."

This view is that under which the President acted, and upon which he must rely for his defense. The several acts of Congress confirming his action or anticipating it by special legislation, all will be used as collateral, and, in many respects, conclusive evidence in his justification; and he who attempts to make out a case against the Executive must meet the legislation of Congress as well as the questions of Constitutional prerogatives and construction.

The Northern community was excited, during the summer and fall of 1861,

Fears of Foreign In-  
tervention.

on the bugbear of a foreign intervention. To the timid it was a source of exceeding fear—to the disloyal a source of hope. It came in time to inspire the Confederates with renewed enthusiasm in their cause: it seemed to them that their independence was secure if a recognition should be made. To expedite matters their most powerful champions were sent abroad, with extraordinary powers to those two courts, which, in the 19th century, have presumed to exercise a paternal authority over all the nations of Earth. To provide against it, and to show those thrones in what spirit any interference in our affairs would be received, the circular addressed by Mr. Seward to the Governors of each of the Seaboard and Lake States may be cited. It was:

"DEPARTMENT OF STATE,  
Washington, October 14th, 1861. }

"TO HIS EXCELLENCY, THE GOVERNOR, &c.:

"Sir: The present insurrection had not even revealed itself in arms when disloyal citizens hastened to foreign countries to invoke their intervention for the overthrow of the Government and the destruction of the Federal Union. These agents are known to have made their appeals to some of the more important States without success. It is not likely, however, that they will remain content with such refusals. Indeed, it is understood that they are industriously endeavoring to accomplish their disloyal purposes by degrees and by indirection. Taking advantage of the embarrassments of agriculture,



Mr. Seward's Circular  
to the Governors.

manufacture and commerce in foreign countries, resulting from the insurrection they have inaugurated at home, they seek to involve our common country in controversies with States with which every public interest and every interest of mankind require that it shall remain in relations of peace, amity and friendship. I am able to state for your satisfaction that the prospect for any such disturbance is now less serious than it has been at any previous period during the course of the insurrection. It is, nevertheless, necessary now, as it has hitherto been, to take every precaution that is possible to avoid the evils of foreign war, to be superinduced upon those of civil commotion which we are endeavoring to cure.

"One of the most obvious of such precautions is that our ports and harbors on the seas and lakes should be put in a condition of complete defense, for any nation may be said to voluntarily incur danger in tempestuous seasons when it fails to show that it has sheltered itself on every side from which the storm might possibly come.

"The measures which the Executive can adopt in the emergency are such only as Congress has sanctioned, and for which it has provided.

"The President is putting forth the most diligent efforts to execute those measures, and we have the great satisfaction of seeing that these efforts are seconded by the favor, aid and support of a loyal, patriotic and self-sacrificing people, who are rapidly bringing the military and naval force of the United States into the highest state of efficiency. But, Congress was chiefly absorbed, during its recent extra session, with those measures, and did not provide as amply as could be wished for the fortification of our sea and lake coasts. In previous wars the loyal States have applied themselves by independent and separate activity to the support and aid of the Federal Government in its arduous responsibilities. The same disposition has been manifested in a degree eminently honorable by all the loyal States during the present insurrection.

"In view of this fact, and relying upon the increase and continuance of the same disposition on the part of the loyal States, the President has directed me to invite your consideration to the subject of the improvement and perfection of the defenses of the State over which you preside, and to ask you to submit the subject to the consideration of the Legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means.

"The expenditures ought to be made the subject of conference with the Federal Government. Being thus made, with the concurrence of the Government,

for general defense, there is every reason to believe that Congress would sanction what the State should do, and would provide for its reimbursement.

"Should these suggestions be accepted, the President will direct the proper agents of the Federal Government to confer with you, and to superintend, direct and conduct the prosecution of the system of defense of your State.

"I have the honor to be, sir,

"Your obedient servant,

"W. H. SEWARD."

This Circular was regarded by the English press and authorities as a "menace," and was pronounced "ill-timed"—"a foolish confession of fear," &c., &c. The reader will not be surprised to learn that its issue was partly *predicated* upon the fact that Great Britain ordered, during September, twenty-five thousand fresh troops to be sent to Canada, for distribution along our Northern frontier. This unexplained act of course the English press did not regard as a menace—as "ill-timed" and a "foolish confession of fear." The same issue of the morning journals which first printed the Circular (October 17th), announced the escape of the rebel Commissioners extraordinary to England and France. Mr. Seward's prior information of the objects of the mission, also had something to do in the promulgation of his warning.

If England and France held aloof from the fraternal embraces of the emissaries of a Slave Confederation, it is to be presumed that the firm and confident attitude of the Federal Government exerted more influence than the foreign powers cared to confess.

There was a desire, on the part of the commercial class, to cope with Jefferson Davis' "Letters of Marque," and thus rid the seas of the pirates preying upon unarmed ships. To this end it was asked of the Navy Department that private vessels be specially commissioned to cruise after the privateers. In reply to one such solicitation the Secretary said: "It appears to me that there are objections to, and no authority for, granting letters of marque in the present contest. I am not aware that Congress, which has the exclusive power of granting letters of marque and reprisal, has authorized such letters to

Mr. Seward's Circular  
to the Governors.

Federal Letters of  
Marque Refused.



Federal Letters of  
Marque Refused.

be issued against the insurgents; and were there such authorization, I am

not prepared to advise its exercise, because it would, in my view, be a recognition of the assumption of the insurgents that they are a distinct and independent nationality. Under the act of August 5, 1861, 'supplementary to an act entitled an act to protect the commerce of the United States and to punish the crime of piracy,' the President is authorized to instruct the commanders of 'armed vessels sailing under the authority of any letter of marque and reprisal granted by the Congress of the United States, or the commanders of any other suitable vessels, to subdue, seize, take, and, if on the high seas, to send into any port of the United States any vessel or boat, built, purchased, fitted out or held,' &c. This allusion to letters of marque does not authorize such letters to be issued, nor do I find any other act containing such authorization. But the same act, in the section as above quoted, gives the President power to authorize the 'commanders of any suitable vessels to subdue, seize,' &c. Under this clause letters permissive, under proper restrictions and guards against abuse, might be granted. \* \* \* This would seem to be lawful, and perhaps not liable to the objections of granting letters of marque against our own citizens, and that, too, without law or authority from the only constituted power that can grant it." But, we are not aware that any private vessels were armed other than for their own protection. Large numbers of ships mounted a rifled gun or two each, for their better security, leaving to Government the task of ridding the waters of Davis' cruizers.

Good Condition of  
Government Finances.

Financially the Federal Government fared well.

The experiment of a loan from the people proved so much of a success as to surprise even the most sanguine. It was submitted to the public by the Secretary in an appeal Sept. 2d, in the course of which he said: "For the means to defray the necessary expenses of this war your Congress has directed that an appeal be made to you, by opening a subscription to a national loan of one hundred and fifty millions of dollars.

Already the enlightened and patriotic capitalists of the great cities of New

Good Condition of  
Government Finances.

York, Philadelphia and Boston have manifested their clear sense, both of duty and interest, by a subscription of \$50,000,000. Congress, under which this subscription was received, wisely provided, however, that the advantages as well as the patriotic satisfaction of a participation in this loan shall be offered not to the capitalists of the great cities only, but to the people of the whole country. In order to secure a substantial reward for their public spirit to those whose patriotism prompts them in this hour of trial to place their means at the disposal of Government, Congress has directed that an interest of 7 3-10 per centum be paid on the several amounts subscribed, an interest not liable to State taxation, but constituting for subscribers a revenue not only certain in receipt, but greater in amount than can be expected from any ordinary investment."

The National Fund loan was soon a favorite investment, and Government had the satisfaction of seeing not only capitalists operating in the fund, but of knowing that men of moderate circumstances were giving to it their surplus means. Its success was one of the most agreeable signs of the times, and proved, as well the loyalty of the people as their comparative prosperity in times of war. The entire amount, then called for, was absorbed during the months of September and October, and the bonds, ere long, advanced to a premium of three and four per centum.

August 16th the Federal Executive proclaimed non-intercourse with the States

Non-Intercourse and  
Passports.

in insurrection, when the system of passports was inaugurated. General Wool—a discreet and sagacious officer—was ordered to Fortress Monroe, where he might exercise a watchful supervision over communications with the South by way of Norfolk and James River. That city soon became a chosen point of transfer, through which those ordered from the South by Davis,\* might make their way.

\* The Confederate President issued his decree, August 15th, 1861, ordering all persons who did not recognize the Confederacy to leave it, within the



Suppression of News-  
papers.

It was during the months of August and September that a general suppression was made of disloyal newspapers in the North. The offices of these obnoxious presses were visited by mobs and destroyed—the authorities in no instance interfering, so overwhelming was the endorsement of the acts of these self-constituted umpires. Only one case of personal violence occurred—that of the tarring and feathering (August 19th) of the editor of a paper in Essex county, Massachusetts. The persons composing these mobs were, to a considerable extent, responsible citizens, who acted without disguise. In New York city, August 16th, the Grand Jury presented several papers for hostility—all of the “Breckenridge” school of partizans. These journals were soon compelled to suspend publication or to change their tone to that of loyalty. In none of these instances did the General Government interfere or order the action: all was done by citizens or local authorities, if we except the denial, by the Post Office Department, of rights to mail facilities to the “*New York Daily News*.” This denial was accompanied by forcible ejection of its issues from the mail-bags, which soon caused the suspension of the paper. The same proceedings were instituted against the New York “*Journal of Commerce*,” and thus compelled a change in its editorial tone. Both were rank opponents of the war, sedulously engaged in sowing dissension and disaffection. The cause of these journals afterwards was adopted by the party in opposition to the Administration, as one of its strongest counts in its indictment of unconstitutional acts.

Numerous arrests of disloyal persons also transpired during the months named. The list of those incarcerated comprised Charles

Arrest of Citizens.

J. Faulkener, ex-Minister to France; Mayor Berrett, of Washington City, (who was soon after released on taking the oath of allegiance); the secession members of the Maryland Legislature, (which was closed by the Provost-Mar-

term of forty days from that date, or be liable to arrest as aliens and enemies. Under this decree many left, but the large majority of able bodied men, suspected of Union sentiments, were impressed into the Confederate army.

shal, Sept. 18th, and its disloyal section sent to Fort McHenry); Ex-Governor Morehead, of Kentucky; Pierce Butler, an eminent lawyer of Philadelphia. Fort Lafayette, in New York harbor, set apart for prisoners of State, held about one hundred persons under confinement up to October 30th, including the Baltimore Chief of Police, Marshal P. Kane, and the Board of Police Commissioners of that city. On the 30th of October most of the State prisoners were transported to Fort Warren, in Boston harbor—which thereafter became one of the regular receptacles of persons seized by orders from the Departments of State and of War.

The incarceration of the Baltimore Board of Police, The case of the Baltimore Board of Police. gave rise to proceedings for their release by the *habeas corpus* writ, and its attempted service on the commandant of the fort, afforded another instance of the asserted superiority of military over civil law. We may refer to the incidents of this case as illustrative of the course pursued by the military authorities and the Federal Executive.

The Police Commissioners were arrested, early on the morning of July 1st, by order of General Banks, then in command of the Department of Annapolis—headquarters at Baltimore. In justification of this exciting step, the Commanding-General issued the following announcement, explanatory of his course and of the purposes of his administration:

“HEADQUARTERS, DEPARTMENT OF ANNAPOLIS, }  
FORT MCHENRY, July 1, 1861. } ”

“In pursuance of orders issued from the headquarters of the army at Washington, for the preservation of public peace in this department, I have arrested, and do now detain in the custody of the United States, the late members of the Board of Police, Messrs. Charles Howard, William Gatchell, Charles Hinks and John W. Davis. The incidents of the past week afforded full justification for this order. The headquarters under the charge of the Board, when abandoned by the officers, resembled in some respects a concealed arsenal. After public recognition and protest against the suspension of the functions, they continued their sessions daily. Upon a forced and unwarrantable construction of my proclamation of the 28th ult., they declared that the police was suspended, and the police officers and men put off duty for the present, intending to leave the city without any police protection whatever. They refused to recognize the officers and men



The Case of the Baltimore Board of Police.

necessarily selected by the Provost Marshal for its protection, and hold subject to their

orders now and hereafter the old police force, a large body of armed men, for some purpose not known to the Government, and inconsistent with its peace and security. To anticipate any intentions or orders on their part, I have placed temporarily a portion of the force under my command within the city. I disclaim, on the part of the Government I represent, all desire, intention and purpose to interfere in any manner whatever with the ordinary municipal affairs of the city of Baltimore. Whenever a loyal citizen can be named who will execute its police laws with impartiality and in good faith to the United States, the military force will be withdrawn from the central parts of the municipality at once. No soldiers will be permitted in the city except under regulations satisfactory to the Marshal, and if any so admitted violate the municipal law, they shall be punished by the civil law and by the civil tribunal.

NATHANIEL P. BANKS,

"Major-General Commanding."

At the same time several leading citizens of active secession proclivities were "restrained of their liberty" and given close quarters in the Fort. The Commissioners remained at Fort McHenry about a month, when it was deemed advisable to transfer them to Fort Lafayette, for safer keeping, and to prevent the further excitement growing out of attempts for their release by civil process. They arrived, by sea, in New York harbor, August 1st, and were placed in close quarters within the Fort. Their friends, however, nothing daunted by the transfer, followed to the vicinity, and, August 6th, succeeded, on the formal petition of the imprisoned men, in obtaining the issue of a writ of *habeas corpus*, by Judge Garrison, of Brooklyn. The writ required Colonel Burke, commandant of the Fort, to produce the prisoners before the King's County Court. The officer immediately telegraphed to the War Department for instructions and received a reply from General Scott, General-in-Chief, forbidding him to produce the prisoners. On the 9th the writ was returned to Court, stating that Colonel Burke deeply regretted that, pending the existing troubles, he could not comply with the requisition of the honorable Judge. Upon which Judge Garrison postponed the case to the following Monday, to allow Colonel Burke time to "reconsider the

matter," and to enable the Sheriff to amend the return, The Colonel not complying,

an attachment was issued for his arrest. The Sheriff was not allowed to execute the writ, however; upon which, under threat of an attachment against himself for contempt of court, he went through the form of inquiring of General Duryea what force of militia was at his disposal to aid him in executing the writ. On the General informing him that he was quite destitute of artillery, while the force of infantry was also inadequate for so serious a task, Judge Garrison decided that the Sheriff, in endeavoring to execute the writ in good faith, had not laid himself open to the consequences of a contempt, and that the power of the Court was exhausted. Thus ended the proceedings, which were instituted with a full knowledge of their certain result. The case was gone through *pro forma* for the purpose of a precedent and evidence, in event of a future investigation into the conduct of the Administration. The case for the complainants would have been stronger had the treason of their clients been less rank. From the hour of the attack by the mob on the Massachusetts men, the Chief of Police and the Commissioners were tireless in their efforts to annoy and imperil the General Government. Kane, as Chief of a large body of disloyal men, on the day of the assault (April 19th, 1861,) telegraphed to Bradley T. Johnson, of Frederick, (afterwards an officer in the rebel army,) as follows, in reply to Bradley's offer of men to repel the "Northern invaders:"

"Thank you for your offer. Bring your men by the first train, and we will arrange with the railroad afterwards. Streets red with Maryland blood.

"Send expresses over the mountains and vallies of Maryland and Virginia for the riflemen to come without delay. Fresh hordes will be down upon us to-morrow. We will fight them and whip them, or die.

(Signed)

"GEORGE P. KANE."

This precious epistle was the key-note to the purposes of those having Baltimore in their keeping; and the discovery of arms and munitions secreted in Station houses—to be given out to the "blood tubs" of the city, at the propitious moment—did not strengthen their claim to immunity from arrest. Yet,



vile as were their purposes—tainted as they were with treason—the Chief of Police and the Police Board found, in the North, friends and defenders,\* who, under the cry of “the Union as it was—the Constitution as it is,” purposely designed to befriend treason and to give the revolutionists protection. It is true, “the Constitution as it is” rendered

\* Kane was released in November, 1862, when he returned to Baltimore. He was held in confinement until the hour was past when his freedom could result in “aid and comfort to the enemy.” After his return he published his views and feelings as follows:

*“To my Fellow-Citizens of the State of Maryland:*

“After an incarceration of seventeen months in four of the forts of the United States, now converted by the Government into prisons, which have no similitude but in the Bastille of France, I avail myself of the first moment of my return to my native soil to address a brief word to you.

“In this imprisonment I am understood to have been the special victim of Mr. Secretary Seward, who, in concert with his hired minions, has omitted no occasion to heap upon me accusations which *he knew to be false*, and therefore dared not bring to the ordeal of a public trial.

every rebel who assailed the United States authority guilty of treason, and therefore amenable to the gallows or to exile, but *not* a feature of the protecting instrument those conservators of Government did not care to impress. Their rallying cry was that of the raven, cawing for its food, rather than the noble outburst of men jealous of their liberties.

“To these charges the despotic censorship of the prisons in which I have been kept allowed me no reply; and I can only now promise that in due time and upon a proper occasion Mr. Seward shall hear from me, in a way which will procure for him, if he has not already acquired it, the contempt of every honest man and woman in the land.

“Without having been held upon any specific charge, I am turned out of prison without any reason being assigned for it; and thus, in my arbitrary arrest and release, I illustrate the most flagrant violation of constitutional liberty.

“It would be unbecoming the dignity of the subject to cast abusive epithets upon the author of this gross outrage; but when allowed the opportunity, I pledge myself, under pain of the forfeiture of the good opinion you have always honored me with, to show that all that is bad in a man, unpatriotic in a citizen, and corrupt in an officer, finds itself concentrated in this individual.

GEORGE P. KANE.

“Baltimore, Nov. 29th, 1862.”

## CHAPTER XIII.

KENTUCKY LOYAL. ACTION OF THE LEGISLATURE. ITS ADDRESS TO THE PEOPLE. MILITARY SITUATION (SEPTEMBER, 1861.) GENERALS JOHNSTON'S AND BUCKNER'S PROCLAMATIONS. PERSECUTIONS OF LOYAL MEN. ANDERSON'S RETIREMENT. SHERMAN'S ASSUMPTION OF COMMAND. TREASON IN A “CASTLE” OF THE K. C. G.'S. BRECKENRIDGE'S FLIGHT. HIS “ADDRESS.” MILITARY OPERATIONS UP TO NOV. FIRST. BATTLE OF WILD CAT.

Kentucky for the Union.

As detailed in Chapter VIII. [pages 317—321], Kentucky safely passed the crisis of “neutrality” and entered into the war for the suppression of the rebellion with zeal. The test resolves adopted by the Legislature [see page 320] rang out with the spirit of Old Bell Roland, sending their alarm notes over hills and through vallies to awaken in the bosoms of loyal men all the enthusiasm of the Kentuckian heart. To the disloyal element of her people the action of the

Legislature was a crushing blow. It sent John C. Breckenridge, Simon Buck-

Kentucky for the Union.

ner and other secession emissaries over to the enemy. It drew the lines rigidly, and left no choice but to uphold the Constitution and the laws or to oppose them. The resolves were quickly followed by legislation for their enforcement as well as for making the State assume its share of the National tax. The history of that session of the State legislative body is full of interest, and ever will afford



Kentucky for the  
Union.

the patriotic mind a pleasant subject for contemplation. Upon adjournment,

a committee was named to prepare and publish an Address to the people, setting forth a correct view of affairs, and adjuring citizens of the Commonwealth to loyalty to the Union. We shall quote the Address to indicate the tenor of public opinion at the date of its issue—early in October :

Address of Legislators “In this extraordinary crisis we deem it a duty we, your representatives, owe to you and ourselves, to say a few words to you as to the condition of the Commonwealth and the duties we have had to perform.

“We have ardently desired peace, and hoped to save Kentucky from the calamities of war. When the Federal authorities deemed it necessary to employ force in self-defense, and to execute the laws of the Government, we assured our Southern neighbors of our purpose not to take up arms voluntarily against them, notwithstanding their wicked attempt to destroy the Government from which we and our fathers have received the greatest benefits. Every effort was made, both before and after the employment of force, to effect some compromise and settlement that would restore the Union and prevent the effusion of blood.

“The Federal Government did not insist upon our active aid in furnishing troops, seeming content if we obeyed the laws and executed them upon our own soil. Those engaged in rebellion, however, with hypocritical professions of friendship and respect, planted camps of soldiers all along our Southern border; seized, by military power, the stock on our railroad within their reach, in defiance of chartered rights; impudently enlisted soldiers upon our soil for their camps, whom they ostentatiously marched through their territory. They made constant raids into this State, robbed us of our property, insulted our people, seized some of our citizens and carried them away as prisoners into the Confederate States. Our military was demoralized by the treachery of its chief officer in command, and many of its subordinates. until it became more an arm of the Confederate States than a guard of the State of Kentucky. Thus exposed to wrongs and indignities, with no power prepared to prevent or resent them, some of the citizens of this State formed camps under the Federal Government for the defense and protection of the State of Kentucky. Whatever might have been thought of the policy once, recent events have proved that they were formed none too soon.

“In this condition we found Kentucky when the

Legislature met, on the first

Monday in September. We still

Address of Legislators.

hoped to avoid war on our own soil. We were met by assurances from the President of the Confederate States that our position should be respected; but the ink was scarcely dry with which the promise was written, when we were startled by the news that our soil was invaded, and towns in the southwest of our State occupied by Confederate armies. The Governor of Tennessee disavowed the act, and protested his innocence of it. His commissioners at Frankfort professed the same innocence of the admitted wrong; but our warnings to leave were only answered by another invasion in the southeast of the State, and a still more direct and deadly assault upon the very heart of the State by way of the Nashville road. These sudden irruptions of such magnitude skilfully directed, show that the assault on Kentucky was preconcerted, prepared and intended, long before. The excuses made by any of them but add insult to injury. We shall not repeat them. They are but excuses for acts intended, without any excuse.

“The purpose is to remove the theatre of the war from the homes of those who wickedly originated it to those of Kentucky, and to involve this State in the rebellion. This purpose appeared to be well understood in the seceded States. They need the territory of Kentucky, and are determined to have it, if it must be, by blood and conquest.

“Thus forced into war, we had no choice but to call on the strong arms and brave hearts of Kentucky to expel the invader from our soil, and to call for the aid of the Federal Government, as we had a right to do under the Federal Constitution.

“Our foes would dictate terms to a brave people upon which we can have peace. We are required to join them in their unwarrantable rebellion, become accessory to their crimes, and consent to sacrifice the last hope of permanently upholding republican institutions, or meet their invasions as becomes Kentuckians.

“We believe we have done our duty to a chivalric people who have forborne long, but will never fail as a last resort to resent an injury and punish an insult. We should hold ourselves unworthy to represent you if we had done less. The only error, we fear is, that we have not been as prompt, you may think, as the occasion demanded.

“Thrice have the revolutionists appealed to the ballot box in this State, and thrice have the people expressed, by overwhelming majorities, their determination to stand by the Union and its Government. They have not been active in this war, not from indifference or want of loyalty, but in the hope of better promoting a restoration of the Union, and



Address of Legislators.

checking the rebellion by that course. Our hope of amicable adjustment, and a desire for peace, led us to forbear, until forbearance has ceased to be a virtue. The attempt to destroy the union of these States we believe to be a crime, not only against Kentucky, but against all mankind. But up to this time we have left it to others to vindicate, by arms, the integrity of the Government. The Union is not only assailed now, but Kentucky is herself threatened with subjugation by a lawless usurpation. The invasion is carried on with a ruthless destruction of property, and the lives and liberties of our people, that belong only to savage warfare.

"We have no choice but action—prompt and decided. Let us show the insolent invaders that Kentucky belongs to Kentuckians, and that Kentucky valor will vindicate Kentucky's honor. We were unprepared because unsuspecting. An insolent and treacherous invader tells the people that their legislators have betrayed them, and he comes with fire and sword to correct their error, by a crusade against property, liberty and life.

"Young men of Kentucky, to arms! to protect the home of your fathers, mothers and sisters. Sound the tocsin on every hill and in every valley, until Kentucky shall drive the insolent invader from her soil."

The Situation.

Under the resolves referred to, General Robert Anderson—the hero of Fort Sumter—was called to the command of the loyal forces in the State. The "Department of Kentucky" was created, and Brigadier-General Anderson assumed its management, by proclamation dated September 21st,\* though its general

\* This proclamation read as follows :

"*Kentuckians* : Called by the Legislature of this, my native State, I hereby assume command of this Department. I come to enforce, not to make laws, and, God willing, to protect your property and your lives. The enemies of the country have dared to invade our soil. Kentucky is in danger. She has vainly striven to keep peace with her neighbors. Our State is now invaded by those who professed to be her friends, but who now seek to conquer her. No true son of Kentucky can longer hesitate as to his duty to his State and country. The invaders must, and, God willing, will be expelled. The leader of the hostile forces who now approach, is, I regret to say, a Kentuckian, making war on Kentucky and Kentuckians. Let all past differences of opinion be overlooked. Every one who now rallies to the support of our Union and our State is a friend. Rally then, my countrymen, around the flag our fathers loved, and which has shielded us so long. I call you to arms for self-defense, and for the protection of all that is dear to freemen. Let us trust in God, and do our duty as did our fathers.

"ROBERT ANDERSON,  
"Brigadier-General United States Army."

The Situation.

and chief control was retained by the authorities at

Washington. It comprised all of the State east of the Cumberland river, excepting a circuit of fifteen miles around Cincinnati, then under command of Major-General Mitchell. Brigadier W. T. Sherman already was on the ground with his brigade, being in camp on and around Muldragh's Heights, near Elizabethtown, with an advance on Tunnel Hill, at Clear Creek. The rebel General, Simon B. Buckner, in considerable force, manœuvered to the west of Louisville, threatening that city; but the strength of Sherman's position compelled the rebels to make their permanent base of operations along the line of the railroads diverging at Bowling Green. General Felix Zollicoffer, with six thousand Confederate troops, occupied Cumberland Gap, and advanced to Barboursville, to compel, as he said, the abandonment of the Unionist camp, forming in that section of the State; but, this pretext only covered the real design of retaining that avenue of approach into East Tennessee. A secession journal (the *Kentucky Yeoman*) thus descanted upon the importance of that point to both parties—uttering views that were conceded forcible and just by those cognizant of the position at that time :

"It is for the use of Anderson's column that muskets, artillery and munitions of war are now pouring into Kentucky over the railroads converging from Covington and Louisville. It is for this (the seizure of Cumberland Gap) that camps are commenced at Hoskins' and Crab Orchard and elsewhere; for this that Rousseau's brigade has moved from Indiana into Kentucky; for this that Green Adams is attempting by speeches to rouse the people of the mountains; for this that Lieutenant Nelson, of the navy, is detached for on-shore duty, to distribute arms in Kentucky, and thus by all these means, by a march through Kentucky, sustained by the Union party of Kentucky, a march of Federal troops from the North, protected in their rear by encampments in Kentucky, composed nominally if not fully, of Kentuckians, that the Federal Government expects General Anderson to achieve the object of obtaining possession of the great line in question. That would be a



## The Situation.

sore calamity to the South, and, in the end, to the North, also; for it would only result in prolonging the war for the pretended but unattainable object of reconstructing a shattered Union. Is it asked why the possession of this line from Cumberland Gap to Chattanooga is of so much importance? We answer, because it divides the connection of the parts of the South from each other, separates the Carolinas from Tennessee, Virginia from Tennessee and the Southwestern States, and renders the Confederate States into bundles of fragments, not one of which could support or sustain the other, and of which each, in its turn, may be overwhelmed by a vastly superior force to any it can, by its own resources, command. With that line in possession, the Federal hope is that East Tennessee will revolt against the State Government and the Confederate States; and in that event the game of John Carlisle & Co. played in Western Virginia, of setting up a bogus State Government, would be played out on a second theatre, inevitably causing civil war in Tennessee, and giving to Scott's basis line and depot of munitions of war all the support derivable from a people as thoroughly subjugated as he could desire. If he can occupy that line he can strike each Slave State east of the Mississippi on both flanks at the same time. With East Tennessee in hand, he can command a column upon Nashville or Memphis by the navigation of the Cumberland or Mississippi, and at the same time by rail to Clarksville, and to Nashville itself from several directions."

Militia and State  
Guards Called Out.

The Kentucky State Guard and Militia were called out by act of the Legislature.

Brigadier-General Tho's L. Crittenden\* issued his proclamation, Sept. 22d, convening them

\* The Crittenden family afforded an illustration of the painful results of the war. John J. Crittenden, the venerable Congressman, was loyal and true; his son, Thomas L., assumed command of the State militia called out under act of the Legislature; while a second son, became a Brigadier in the rebel service, leading the forces operating against his native State. He eventually was created a Major-General. Several times during the progress of the war, the two brothers led opposing columns.

at the several Union camps forming at Louisville, Frankfort, Camp Dick Robinson, Sherman's brigade quarters, New Haven and Henderson.

The rebels were very active pending the progress of the Federal occupation.

General Johnston's  
Rebel Proclamation.

General Albert S. Johnston, the Confederate commander of the Western Department, issued his proclamation, Sept. 22d, from Memphis, addressed to the people of Kentucky, setting forth the motives which impelled the Confederate armies to occupy the State. He stated that, as the Federal Government had shown its intention to invade the Confederacy over Kentucky soil, in self-defense he was compelled to "enter the State and meet the invasion upon the best line for military operations." He further declared that they (the Confederate authorities) "have thus marched their troops into Kentucky with no hostile intention towards its people; *nor do they desire to seek to control their choice* in regard to their union with either of the Confederacies, or to subjugate their State or hold its soil against their wishes. On the contrary, they deem it to be the right of the people of Kentucky to determine their own position in regard to the belligerents." It was then stated that the Confederate occupation should be limited by the exigencies of self-defense—that if the State desired to remain neutral the Confederate army should aid it to drive out the lawless intruders, &c., &c.

In view of the fact that the last election held (July 1st), gave a clear Union majority of over *fifty-five thousand*—in view of the unconstrained proceedings of the Legislature and the endorsement of its action by the people—this whole document would read strangely, were duplicity and disingenuousness not stamped upon almost every document issued to influence the sentiments and action of the Southern people. General Johnston had a well-won reputation for courage and probity; yet, both were powerless before the demoralization upon which the revolution was founded. He is the severest censor who is most conversant with sin: in the general tone of public papers issued by the rebellion's directors, we have the unwitting confession of their own madness.



Buckner's Last  
Epistle.

We should give, in justification of the defection of Buckner, J. C. Breckenridge, Humphrey Marshall, ex-Governor Morehead, James B. Clay and other Southern sympathisers, the proclamation of the first named person to his late constituents. It was designed both as a justification and a plea for the Southern cause:

"TO THE PEOPLE OF KENTUCKY:

"The Legislature of Kentucky have been faithless to the will of the people. They have endeavored to make your gallant State a fortress, in which, under the guise of neutrality, the armed forces of the United States might secretly prepare to subjugate alike the people of Kentucky and the Southern States. It was not until after three months of covert and open violation of your neutrality, with large encampments of Federal troops on your territory, and a recent official declaration of the President of the United States not to regard your neutral position, coupled with a well prepared scheme to seize an additional point in your territory, which was of such vital importance to the safety and defense of Tennessee that the troops of the Southern Confederacy, on the invitation of the people of Kentucky, occupied a defensive post in your State. In doing so the commander announced his purpose to evacuate your territory simultaneously with a similar movement on the part of the Federal forces, whenever the Legislature of Kentucky shall undertake to enforce against both belligerents the strict neutrality which they have so often declared. I return among you, citizens of Kentucky, at the head of a force, the advance of which is composed entirely of Kentuckians. We do not come to molest any citizen, whatever may be his political opinion. Unlike the agents of the Northern despotism, who seek to reduce us to the condition of dependent vassals, we believe that the recognition of the civil rights of citizens is the foundation of constitutional liberty; and that the claim of the President of the United States to declare martial law, to suspend the privilege of the writ of *habeas corpus*, and to convert every barrack and prison in the land into a Bastille, is nothing but the claim which other tyrants have assumed to subjugate a free people. The Confederate States occupy Bowling Green as a defensive position. I renew the pledges of commanders of other columns of Confederate troops to retire from the territory of Kentucky on the same conditions which will govern their movements. I further give you my own assurance that the force under my own command will be used as an aid to the government of Kentucky in carrying out the strict neutrality desired

by its people, whenever they undertake to enforce it against the two belligerents alike.

"S. B. BUCKNER, Brigadier-General C. S. A.  
"BOWLING GREEN, Sept. 18th, 1861."

This, it will be observed, makes the same general plea for the Confederate occupation which Governor Harris and General Johnston urged. They forgot to recur to the fact of Pillow's large army at New Madrid, with Jeff Thompson's five thousand men above it—both menacing Cairo and St. Louis. Johnston claimed that *self-protection* compelled his advance into Kentucky: what compelled Grant's occupation of Paducah, and Sherman's advance down the Louisville and Nashville railroad? The Confederates did not care to answer. But, Zollicoffer was, at the very date of these sounding addresses, pressing his way into Kentucky, seizing her Union citizens, eating of their substance and carrying terror all along the southeastern border; while

Confederate Devastation.

Kentucky had, *for weeks*, been given up to a species of persecution which rendered a Union man's life and property worth but little. Great and pressing was the call for help from that quarter many days before relief came—Polk and Pillow held sway too long in that region for its good. Kentucky's own citizens are the best witnesses on this point. They were made to feel how shamelessly false were the Confederate professions of protection and immunity from persecution. The Federal army truly came as a deliverer which even those of quondam secession proclivities were glad to welcome. Time will but vindicate the wisdom, even in a selfish view, of the course pursued by that Legislature which a recreant son had the effrontery to characterize as "faithless to the will of the people."\*

\* To vindicate the truth we may cite a single case of hundreds which occurred at the period under notice. Judge R. K. Williams fled from Mayfield to escape the outrages visited upon Union men. One of the rebel commanders thus advertised the fugitive:

"MAYFIELD, Oct. 7th, 1861.

"Whereas, R. K. Williams has fled from his county and has gone over to the enemy, and has endeavored, as far as in him lay, to introduce among the good people of Jackson Purchase a band of cut-throats, robbers and murderers: and whereas, the said R. K. Williams keeps himself within Pa



Confederate Devastation.

Under Anderson's brief rule but little transpired, of military movement. Every effort, for the time-being, was concentrated in organization and preparation. The hour was one of great peril, for Confederate troops were gathering rapidly at the most efficient points. Secession emissaries were everywhere, poisoning the loyal mind, distracting public and private councils, and, under the pernicious plea of State Rights, instilling ideas of National relations which sent thousands of Kentuckians to take up arms against the Union. It will be hard, after the bitter experiences of most of those men, to make *them* charitable toward the "Southern idea" or the Southern leaders.

General Anderson's Retirement.

General Anderson remained but a brief time in command of the Department, owing to feeble health. He was relieved, October 7th, by special request, and Brigadier-General W. T. Sherman assumed command of the "Department of the Cumberland," understood to embrace all of Kentucky east of the Cumberland river. Announcing his withdrawal, Anderson said: "Regretting deeply the necessity which renders this step proper, I do it with less reluctance because my successor, Brigadier-General Sherman, is the man I had selected for that purpose. God grant that he may be the means of delivering this Department from the marauding bands who, under the guise of relieving and befriending Kentucky, are doing all the injury they can to those who will not join them in their accursed warfare." This latter expression indicated with precision the character of the "relief" and "protection" vouchsafed to the people of Kentucky by the Confederate commanders. A disinterested observer would have supposed it was the Con-

federate, I hereby warn all well disposed persons from having anything to do with him, and I hereby ask all good and loyal men to arrest the said Williams and to deliver him to me, and I promise to hang the traitor on the first tree.

"H. C. KING,

"Commanding Ky. Volunteers, C. S. A.

As Judge Williams was one of the most estimable citizens of the State, the promise to "hang the traitor on the first tree," fully indicates the nature of Confederate justice. It affords correct data for comment on General Johnston's proclamation.

federate purpose to arouse all the animosity of the popular heart against their cause—not that they came as deliverers, and conservators of liberty and order.

A letter writer from Paducah, Sept. 22d, announcing the seizure of a "Cas-

Knights of the Golden Circle Treason.

tle" of the Knights of the Golden Circle, said: "When the Union troops entered Paducah one of the first fruits of their advent was to secure the "Castle" and its contents; and from the books and papers there found it is hoped that Government will be enabled to ferret out most of the arch traitors in this State. These documents have been sent to Washington. Among them are letters carefully filed from Governor Beriah Magoffin, Senator John C. Breckenridge, General Gideon J. Pillow, General Buckner, Mr. Representative Burnett and others; all of whom are thus proved to have been members of this treasonable league, and many of them file leaders in the movement. A copy of the proceedings of the last three meetings of the "National Castle" was also found, which lets in several rays of light upon the strange conduct of Governors Harris, Jackson and Magoffin, and the breaking up of the Charleston Convention; a letter—or, rather, a private circular—from two members of Mr. Buchanan's Cabinet, while yet in office, stating the number and quality of arms which would be in the Southern States at the expiration of their terms of office, and other information which will be of use when the rebellion is crushed. This discovery has been kept a profound secret until now, in order that the persons implicated, or such of them, at least, as could be caged, might be taken care of by the Government, and we have the satisfaction of knowing that three of them have found a residence in Fort McHenry."

The greatest sinner of them all, John C. Breckenridge, escaped from Frankfort, Sept. 20th—passing secretly and in disguise into the Confederate dominions. A few days later he was at Bowling Green and Columbus, advising with the rebel commanders in regard to a campaign against his own State. The disregard of consequences practiced in the Charleston Convention, to prevent the nomination of Mr. Douglas, culminated in his



The Case of  
John C. Breckenridge.

flight by night from the commonwealth which had bestowed all the honors he ever knew. Once beyond the reach of Federal or State process he prepared and published (October 25th) an Address to his late fellow-citizens and constituents, announcing his resignation of the office of U. S. Senator, and setting forth his views of the crisis at length. It was an able document—a special plea, as specious as his disloyal sympathies would permit. Its composition was designed not more to justify his own course than to cover his night-flight with glory.

We have, in the course of this work, given much space to the views of leading minds, in order that the dispassionate inquirer might have the whole argument before him. To the opinions of Mr. Breckenridge ample justice has been done [see page 42, *et sequitur*], and we do not feel it incumbent on us to reproduce at length his last outburst of mingled entreaty, argument, invective and threat. It was his valediction to friends and malediction to foes; but, it was, also, the funeral oration of one who had passed away—the victim of a thwarted ambition. In announcing the dissolution of the Union he seemed unconsciously to throw his own memory into the past tense. We quote enough of the Address

Breckenridge's  
Last Address.

to indicate its spirit and something of its argument.

His position as a partizan leader gave to his words the weight of authority to a large class in the Northern States up to the hour of his final defection, and his last appeal, we have reason to know, received from many of that class a willing though silent endorsement. That endorsement he well knew awaited his words; and the subtle Chief of State-Rights' Democracy in his valedictory, but breathed into being the heresies of party which sprang into a vigorous life in a year's time. Mr. Breckenridge wrote:

\* \* \* "I resign because there is no place left where a Southern Senator may sit in council with the Senators of the North. In truth, there is no longer a Senate of the United States within the meaning and spirit of the Constitution.

"The United States no longer exist. The Union is dissolved. For a time after the withdrawal of the Southern States, and while there was a hope that

the rupture might be healed, it might be assumed that the Union was not yet dissolved,

Breckenridge's  
Last Address.

and such was the position of Kentucky in declaring her neutrality and offering her mediation between the contending parties. But time has now elapsed, and mighty events have occurred, which banish from the minds of reasonable men all expectation of restoring the Union. Coercion has been tried and has failed. The South has mustered in the field nearly as many combatants as the North, and has been far more victorious. The fields of Manassas and Bethel, of Springfield and Lexington, have worked with a terrible and sanguinary line the division between the old order of things and the new."

He then proceeded to demonstrate even *the unconstitutionality of upholding the Constitution*—a view of the case which his professed friends of the North did not care to adopt, since it might create doubts as to their ever having entertained *any* faith in the Federal compact. If it was to be broken simply by the power of *non-representation*, the Union was but a shadow at best, and the democratic rally cry, "The Union! It *shall* be preserved!" was proven, therefore, a designed imposture. Mr. Breckenridge's argument was:

"The constitutional compact which created and upheld the old Union is at an end. A large number of the original and additional parties have withdrawn from it. So large a number that its stipulations can no longer be executed, and under such circumstances no court has ever decided a contract to be binding between the remaining parties, or attempted to enforce its execution. The Constitution requires positively that each State shall have at least one representative in Congress, but now twelve States have none; that each State shall have two Senators, but now twelve States have none; that all duties, imposts and excises shall be uniform throughout the United States, but now in more than one third of them none are or can be collected. Commerce cannot be regulated between the respective States. Uniform rules of naturalization and bankruptcy cannot be adopted. Post offices and post roads, in nearly half the States have been given up, and a preference is given to the ports of one State over those of another. Even the election of a President has become impossible. The Constitution is mandatory on all the States to appoint electors, and requires a majority of the latter to elect; but more than one-third of the States refuse to appoint, and hence no election can be made by the people. If the election goes to the House of Representatives, the Constitution requires that at least two-thirds of



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the States shall be represented  
in that body. The Constitution  
can no longer be amended, for

it requires three-fourths of the States to concur, and more than one-third of the States have withdrawn from the Confederacy. All the safeguards provided for by the States in the instrument, still further to secure public and personal liberty, have been destroyed. The three departments of the Federal Government, which were carefully separated and their boundaries defined, have been merged into one, and the President, sustained by a great army, wields unlimited power."

If this position *was* true all others were unnecessary: yet, the ex-Vice President, evidently distrusting the force of his own deductions, goes on at length to show how the Constitution had been violated—as if such a Constitution, after all, *did* exist and have force, notwithstanding he himself had just declared it abrogated and dead by the very act of secession. The acute logician was under the leading strings of his thoroughly disloyal feelings rather than guided by good judgment. He said:

"The exemption of persons from arrest without judicial warrant, the right of a citizen to have his body brought before a judge to determine the legality of his imprisonment, the security provided against searches and seizure without warrant or law, the sanctity of the home, the trial by jury, the freedom of speech and of the press—these and every other precious right which our fathers supposed they had locked up in their Constitution, have been torn from it and buried beneath the heel of military power. The States made the Constitution, placed rigid boundaries around that Government, and expressly reserved to themselves all powers not delegated. They did not delegate to the Federal Government the power to destroy them—yet the creature has set itself above the creator. The atrocious doctrine is announced by the President and acted upon, that the States derive their power from the Federal Government, and may be suppressed on any pretence of military necessity. The gallant little State of Maryland has been utterly abolished. Missouri is engaged in a heroic struggle to preserve her existence and to throw off the horrors of martial law proclaimed by a subordinate military commander. Everywhere the civil has given way to the military power. The fortresses of the country are filled with victims seized without warrant of law, and ignorant of the cause of their imprisonment.

"The legislators of States and other public officers are seized while in the discharge of their official

duties, taken beyond the limits  
of their respective States and  
imprisoned in the forts of the

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Federal Government. A subservient Congress ratifies the usurpations of the President, and proceeds to complete the destruction of the Constitution. History will declare that the annals of legislation do not contain laws so infamous as those enacted at the last session. They sweep away every vestige of public and personal liberty, while they confiscate the property of a nation containing ten millions of people. In the House of Representatives it was declared that the South should be reduced to "abject submission," or their institutions overthrown. In the Senate it was said that, if necessary, the South should be depopulated and repopled from the North, and an eminent Senator expressed a desire that the President should be made a dictator. This was superfluous, since they had already clothed him with dictatorial powers. In the midst of these proceedings, no plea for the Constitution is listened to in the North; here and there a few heroic voices are feebly heard protesting against the progress of despotism, but for the most part, beyond the military lines, mobs and anarchy rule the hour."

This 'Daniel come for judgment' forgot to state, in this immediate connection, that he himself, had he not fled by night, would have been seized and thrust into prison, *because*, like most all others so arrested and incarcerated, he was *guilty of treason*—was a dangerous enemy of the country, whom the Federal Executive, in the discharge of its sworn duty to protect the Constitution, had no power to allow of liberty.

But, it is unnecessary to devote more space to the Senator's statements on these points. Like the argument of every ultra State Rights man, it pronounced all attempts to "enforce the Laws" and to uphold the Constitution to be an infamous abuse of power, &c. No counter argument ever did or ever will satisfy that class of thinkers, as will be discovered should a Convention of States be called to revise the Federal fundamental law. The north and south poles are not wider apart than men of the schools of Abraham Lincoln and John C. Calhoun.

Mr. Breckenridge, after this general discussion of the question, then addressed himself to Kentuckians, charging that tyranny, duplicity and treachery had marked the entire course of Federal proceedings in the State. He charged that Federal money had



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been lavishly used to bribe  
citizens—that armed pos-  
session of the State had

been taken under false pretences—that the Legislature had been awed and bribed into a betrayal of the State's independence, &c., &c. He presented this picture for contemplation:

"Fellow citizens, you have to do now, not with this fragment of a Legislature, with its treason bills and tax bills, with its woeful subserviency to every demand of the Federal despotism, and its woeful neglect of every right of the Kentucky citizen; but you have to deal with a power which respects neither Constitution nor laws, and which, if successful, will reduce you to the condition of prostrate and bleeding Maryland. General Anderson, the military dictator of Kentucky, announces in one of his proclamations that he will arrest no one who does not act, write or speak in opposition to Mr. Lincoln's Government. It would have completed the idea if he had added, or think in opposition to it. Look at the condition of our State under the rule of our new protectors. They have suppressed the freedom of speech and of the press. They seize people by military force upon mere suspicion, and impose on them oaths unknown to the laws. Other citizens they imprison without warrant, and carry them out of the State, so that the writ of *habeas corpus* cannot reach them.

"Every day foreign armed bands are making seizures among the people. Hundreds of citizens, old and young, venerable magistrates, whose lives have been distinguished by the love of the people, have been compelled to fly from their homes and families to escape imprisonment and exile at the hands of Northern and German soldiers, under the orders of Mr. Lincoln and his military subordinates. While yet holding an important political trust, confided by Kentucky, I was compelled to leave my home and family, or suffer imprisonment and exile. If it is asked why I did not meet the arrest and seek a trial, my answer is, that I would have welcomed an arrest to be followed by a judge and jury; but you well know that I could not have secured these constitutional rights. I would have been transported beyond the State, to languish in some Federal fortress during the pleasure of my oppressors. Witness the fate of Morehead and his Kentucky associates in their distant and gloomy prison.

"The case of the gentleman just mentioned is an example of many others, and it meets every element in a definition of despotism. If it should occur in England, it would be righted, or it would overturn the British empire. He is a citizen and native of Kentucky. As a member of the Legislature, Speaker of the House, Representative in Congress from

the Ashland district, and Governor of the State, you have known, trusted and honored

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him, during a public service of a quarter of a century. He is eminent for his ability, his amiable character and his blameless life. Yet this man, without indictment, without warrant, without accusation, but by the order of President Lincoln, was seized at midnight, in his own house, and in the midst of his family, was led through the streets of Louisville, as I am informed, with his hands crossed and pinioned before him—was carried out of the State and district, and now lies a prisoner in a fortress in New York harbor, a thousand miles away. Do you think that any free Legislature, ever assembled in Kentucky since the days of Charles Scott and Isaac Shelby, until now, would have permitted such a spectacle to dishonor the State? No! fellow citizens, the Legislature could not have been free!

"I would speak of these things with the simple solemnity which their magnitude demands, yet it is difficult to restrain the expression of a just indignation while we smart under such enormities. Mr. Lincoln has thousands of soldiers on our soil, nearly all from the North, and most of them foreigners, whom he employs as his instruments to do these things. But few Kentuckians have enlisted under his standard, for we are not yet accuetomed to his peculiar form of liberty.

"I will not pursue the disgraceful subject. Has Kentucky passed out of the control of her own people? Shall hirelings of the pen, recently imported from the North, sitting in grand security at the Capitol, force public opinion to approve these usurpations and point out victims? Shall Mr. Lincoln, through his German mercenaries, imprison or exile the children of the men who laid the foundations of the Commonwealth, and compel our noble people to exhaust themselves in furnishing the money to destroy their own freedom? Never, while Kentucky remains the Kentucky of old—never, while thousands of her gallant sons have the will and the nerve to make the State sing to the music of their rifles!"

Yet, in spite of the Senator's rhetoric, there was no rebellion against the acts of the loyal Legislature. The arrest of ex-Governor Morehead and of others plotting treason against the Union, was loudly called for by leading Kentuckians, as a matter of public safety. The suppression of the Louisville *Courier* was also an act to suppress conspiracy and disloyalty—a mere step of self-defense. The Anderson characterised as a military dictator was the hero of Fort Sumter—a



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Christian gentleman in the  
truest sense of the word.

The statement that most of the Federal army of invasion was composed of foreigners whom Lincoln employed to do his behests was outrageously untrue, since Ohio, Indiana and Illinois furnished from their own citizens, the great mass of troops called to Kentucky's aid. And so the record runs. The entire appeal was grounded upon a perverse sentiment of loyalty; it would have had but little foundation for its conclusions had the Senator been truly impartial and neutral.

The Military Position.

The position of the bel-  
ligerents, October 15th, in-

indicated an early collision. Sherman's advance to Nolin Creek, twenty miles from Green River, commanded by Generals Rosseau and McCook, it was thought would meet Buckner's and Hardee's combined forces at any moment. A flank movement upon Louisville by Polk and Pillow was feared. October 17th Sherman urgently telegraphed the War Department for reinforcements. The next day, Secretary of War Cameron and Adjutant-General Thomas visited Sherman's headquarters, on their return to Washington from a tour of inspection in Fremont's department. Seeing the imminence of the danger, eight thousand troops were ordered on by special trains from Pittsburg, Indianapolis and Chicago. General Ward, in command at Camp Johnson, at Greensburg, dispatched messengers, October 18th, for reinforcements, learning that a rebel column three thousand strong was advancing in that direction. He fell back twelve miles to Campbellville, to await reinforcements. No enemy, however, confronted him. All the enemy's efforts seemed to be directed to the Federal advance toward Bowling Green—whose loss would be a severe blow to the Confederate occupation and winter campaign in Western Kentucky. The rapid augmentation of Union forces under Sherman, and at Cairo and Paducah, soon placed the rebels strictly on the defensive. By November 1st Louisville was considered safe, and arrangements were then making for prosecuting the advance against Columbus and Bowling Green.

In Eastern Kentucky, the column gathered

or gathering at Camp Wild  
Cat, between Great and  
Little Rockcastle rivers,

South Eastern Ken-  
tucky.

was designed to operate against Zollicoffer, then in possession of Cumberland Gap, with an advance to Barboursville. The rebels, for three weeks of October, carried terror through the adjacent country. Union men fled or were given over to the cruel mercies of Confederate jailors in East Tennessee; families were stripped of their means of sustenance or driven out from their homes into exile. Assassins lurked everywhere to shoot down any "suspicious person."

Not desiring the presence  
of Colonel Garrard's force

Battle of Wild Cat.

at Camp Wild Cat, Zollicoffer resolved to strike him before reinforcements could arrive. To this end he advanced against the position with six regiments of infantry, one of cavalry and a battery of six light pieces. Reconnoitering and demonstrating during Sunday, October 20th, he made his attack on the morning of the 21st. General Schoepff having arrived on the ground, assumed command. Ordering forward the Thirty-third Indiana, four companies under command of Colonel John Coburn, advanced and took possession of an eminence called Round Hill, one-half mile from the camp. This advance, two Tennessee regiments of the enemy assailed on the hill, pressing up under cover of the woods, and when quite near the summit, opening a rapid fire of musketry.\* Colonel Woodford soon joined Colonel Coburn, with about two hundred and fifty Kentucky cavalry. These troops bore the brunt of the fight with such persistence as to break the enemy's attempted charge; and, after an hour's fire,

\* The enemy here tried the ruse so fatally successful at the battle of Edwards' Ferry, Virginia, of personating Federal troops. One Tennessee regiment advanced out of the woods, with their caps on bayonets, shouting: "we are Union men!" Lieutenant Knight, in command of a breast work which the Indians had thrown up, sprang to the embankment and ordered his men not to fire, supposing the looked-for reinforcements had arrived. In a moment the Tennesseans sent in a volley and pushed on to carry the work. They fairly wilted, however, before the sheet of flame which leaped from the crest of the work like an avenging herald.



Battle of Wild Cat.

the Tennesseans withdrew to reorganize for a stronger effort, leaving seventeen of their dead on the field. Many of their dead and most of their wounded they succeeded in carrying off.

This little fight was the precursor of a second attempt in the afternoon, upon the position; but, the celerity of movement of the Seventeenth Ohio, Colonel Connell, and the Fourteenth Ohio, Colonel Steedman, gave the Unionists so much the advantage that Zollicoffer's hopes were dashed, and, at night, he beat a quick retreat toward Cumberland Gap. These two regiments, last named, made marches of extraordinary expedition to relieve Colonel Garrard from his perilous position, and arrived in time to throw a few shot into the disordered ranks of the rebels. They then gave premonition of the gallantry and endurance which distinguished them throughout the war.

The Condition of  
East Tennessee.

This rather badly conducted attempt to capture Camp Wild Cat was followed by no further rebel demonstration in that quarter. Zollicoffer finally took up a strong position opposite Mill Spring, on the

Cumberland River, at the mouth of White Oak Creek, where he waited the ex-

The Condition of  
East Tennessee.

pected advance. He still retained the passage at Cumberland Gap, to provide for retreat and to check any attempt of the Federalists to reach East Tennessee through that, its most natural avenue of approach. How the long-suffering and heroic people of that now historic region looked for the promised relief to press in through that gorge! The stream of life which leaped from the rock at the touch of Moses' rod, did not send a wilder thrill of joy through the famishing hearts of the suffering people of God, than the clarion of promised deliverance which rang through the valleys and over the hills of East Tennessee, in the fall of 1861. Nor did the wail of the mothers of Israel over Herod's slaughter of their offspring send out upon the air a more appalling cry of pain than went up from the scaffolds and dungeons of Tennessee when that deliverance was withheld. Truly we need not go to old-time histories for lessons when the story of East Tennessee offers us its record of joys and sorrows, of sufferings, but not of triumphs.



# HISTORICAL SUMMARY OF EVENTS,—N<sup>o</sup>. 6.

FROM NOVEMBER 1st, 1861, TO FEBRUARY 1st, 1862.

*Nov. 1.*—Lieutenant-General Winfield Scott is retired, at his own request, from active service, and General George B. McClellan raised to the position of General-in-Chief. See pages 351, 52.

--Surprise of a large rebel camp at Renwick, Mo. Rebels scattered, losing about fifty in killed and prisoners, and all their camp stuff.—Rosecrans' camps on Gauley river cannonaded by Floyd.

*Nov. 2.*—Fremont, at Springfield, Mo., is relieved of his Department command by orders from Washington. General Hunter takes temporary command, Nov. 3d, and soon ordered a retreat of the entire army.—Engagement in Platte City, Mo. Rebels routed by Major Joseph, with a loss of 13 killed and wounded and 30 prisoners.

*Nov. 4.*—Colonel Dodge takes possession of Houston, Mo., capturing a large amount of rebel stores, several prisoners and a mail for the rebel army.

*Nov. 5.*—General Nelson occupies Prestonburg, Ky., having driven the rebel General "Cerro Gordo Williams" up the Big Sandy river to Piketon, whither he soon pursues and again routs him (on the 8th). Williams then flees to the mountains, his forces quite disorganized.

*Nov. 6.*—Expedition from the gunboat *Cambridge*, up Corrostowan creek, Va. A rebel vessel burned. Lieutenant Gwin in command.—The Grand Jury in session at Frankfort, Ky., finds indictments for treason against thirty-two prominent citizens of the State, who have embarked in the Southern cause.—Grant and McClellan's expedition against Belmont, Mo., sails from Cairo.—General Hunter repudiates the Price-Fremont "treaty."—Rosecrans opens on Floyd's batteries on Gauley river, and silences them.

*Nov. 7.*—Battle of Belmont, Mo. Rebels routed and their camp and property destroyed. The Federals on returning to their transports are assailed by a heavy force from Columbus but cut their way through. The loss on both sides is very heavy. See page 413.—Attack on the Port Royal forts by the fleet under Dupont. The forts silenced after a heavy bombardment of five hours. Union loss, 8 killed and 23 wounded. See pages 385-90

*Nov. 8.*—Bridges burned in East Tennessee by the Unionists. See page 419.—Arrest of the rebel commissioners, Mason and Slidell, on the British steam-ship *Trent*, by Captain Charles Wilkes, in command of the steam sloop-of-war *San Jacinto*. See pages 407-411, for all the official correspondence in the case.

*Nov. 9.*—General Halleck ordered to the command in Missouri, and General Buell to Kentucky.

*Nov. 10.*—Rosecrans dispatches General Benham up the Kanawha river to cross at Loup creek and march toward Fayetteville. The design is to get in the rear of Floyd and cut off his escape, while the main body of the Union army should assail the rebel front and right.—Rebel descent on Guyandotte, West Virginia. One hundred and fifty of the Ninth Virginia Federal volunteers surprised and many of them killed or taken prisoners. The people of the town, having co-operated in the attack, two-thirds of their village was burned the next day, by a section of the Fifth Virginia volunteers.

*Nov. 11.*—Colonel Anthony, with 100 of his Kansas "Jayhawkers," assails and routs the rebels in camp near Kansas City, after a sharp fight. Federal loss, 8 killed and 8 wounded, rebel loss not known.—Engagement at New Market bridge, near Fortress Monroe. Colonel Max Weber defeats the enemy. Rebel loss, 2 killed.—Gallant reconnoissance of Colonel Graham over the Potomac at Mathias point.

*Nov. 12.*—General Heintzelman makes a reconnoissance in force from Alexandria to Occoquan creek.

*Nov. 13.*—A strong Federal column under Gen. Lockwood moves from Baltimore and occupies the counties of Virginia lying east of the Potomac.

—Zollicoffer retires from Cumberland ford to Cumberland gap, Tenn.

*Nov. 14.*—General Benham, dispatched by Rosecrans to strike upon Floyd's rear, falls in with the rebel outposts at McCoy's mills and defeats them. Fifteen of the enemy killed, including Colonel Croghan. Floyd's main force escapes to the South.

—Meeting of planters at Macon, Ga.—Colonel Geary crosses at Point of Rocks and surprises a rebel force about to locate a battery, killing 3 of the enemy.

*Nov. 15.*—Fast day in the Confederate States.

*Nov. 16.*—Expedition of General Paine from Paducah to Lovettsville. No enemy found.

*Nov. 17.*—Attack upon and rout of Hawkins' (rebel) camp near Rumsey, Ky. Twenty-five rebels taken prisoners, with 300 horses, &c. Colonel Alcorn commands the Federals, whose loss is 10 killed and 15 wounded.—General Schœpf, by a forced march of four days, reaches Crab Orchard, Ky., with his Camp Wild Cat forces.—Attack upon re-



cruits for Price's army, near Palmyra, Mo. Rebel loss, 3 killed, 5 wounded and 16 prisoners.

Nov. 18.—Captain Foote, U. S. N., assigned to the fleet operating in the Western rivers.—North Carolina "provisional" Convention meets at Hatteras. Forty five counties represented. The secession of the State repudiated, provisional Governor appointed, &c., &c.—More of Price's recruits (50) captured near Warrenburg, Mo.

Nov. 19.—Burning of the ship *Harvey Birch* by the Confederate privateer *Nashville*, near Southampton, England.—Warsaw, Mo., burned by the rebels.—General Halleck assumes command in Missouri.—Jefferson Davis sends in his Message to the Confederate Congress. See pages 430–33.—The gunboat *Conestoga* reconnoiters up the Tennessee.

Nov. 20.—Sailing from New London and New Bedford of the fleet of old hulks loaded with stone, to be sunk in Southern harbors.—Grand review of McClellan's troops before Washington.—Rout of the notorious rebel marauder, Hays, near Kansas City, by Colonel Burchard and 24 men. Hays' residence burned.

Nov. 22.—Price's army crosses the Osage river on its second trip to the North.—Rebel Camp above Newport News shelled and destroyed by Federal gunboats.—Gallant affair at Brownsville. A band (100) of Kentuckians repulse 300 rebels.

Nov. 22–23.—Bombardment, by Fort Pickens, of the rebel batteries at Pensacola Bay. Fort McRae is silenced and Fort Barrancas much injured. The village of Warrenton is destroyed and the Navy Yard greatly injured.

Nov. 23.—The Steamers *Constitution* and *Forest City*, with the advance of Butler's expedition against New Orleans, sails from Portland, Me.—General Thomas, with his entire division, advances from Danville, Ky., to Columbia. This movement is designed to give Zollicoffer battle.

Nov. 24.—Skirmish at Lancaster, Mo. Colonel Moore meets the rebels, killing 13 and taking prisoners.—Tybee island taken possession of by the Federal forces.

Nov. 25.—The rebel privateer *Royal Yacht* destroyed in Galveston harbor, by an expedition from U. S. frigate *Santee*, commanded by Lieutenant Jouett.

Nov. 26.—Second Grand Review of the forces of McClellan around Washington. — Reconnoissance by Colonel Bayard, from Langley's to Dranesville, Va.—Reconnoissance toward Hunter's hill from Vienna.—Meeting of the Convention at Wheeling to form a new State.—Commodore Tatnall, with three small steamers and one gunboat runs down from Fort Pulaski to engage the Federal fleet, in Cockspur roads. He "retires" after firing about forty shots.

Nov. 27.—The Federal Government assumes command of all commerce on the Mississippi river below St. Louis.—Reconnoissance up the Coosaw river, S. C., by the gunboat *Pawnee*, Commander Drayton.

Nov. 28.—Reconnoissance by Colonel Cone from Springfield, Va., toward Manassas.—Immense conflagration of cotton on the plantations lying between Beaufort and Charleston, S. C.

Dec. 2.—Meeting of the Federal Congress.

Dec. 3.—President Lincoln's Message read to Congress. See pages 437–443.

—Rebel dash at Salem, Mo. Rebels repulsed with considerable loss, by Major Bowen's cavalry.—Reconnoissance in the vicinity of Vienna, Va., followed by a rebel surprise of the Federal cavalry (120). The troopers return to camp minus forty five men.

Dec. 4.—Spirited skirmish near Anandale, Va. Colonel Taylor, with 30 of his men (Third N. Jersey) surprises and cuts to pieces, by an ambush, a troop of 40 rebel cavalry.—John C. Breckenridge expelled from the U. S. Senate.—Landing at Ship island of the advance of Butler's expedition against New Orleans. General Phelps in command issues a proclamation which forewarns the people that he comes upon a crusade against slavery as well as against those in rebellion.

Dec. 7.—General John Pope is assigned command of all the Federal forces between the Missouri and Osage rivers. The force is composed largely of Fremont's old troops.—Capture at Rogers' Mill near Glasgow, Mo., of the notorious robber Captain Sweeny, by a detachment of Federal cavalry under Captain Merrill.

Dec. 8.—Final occupation of Port Royal island and the village of Beaufort, S. C., by the Federal troops under General Stevens.

Dec. 9.—Bombardment by the Federal gunboats of the rebel position at Freestone point. The rebel works and buildings all destroyed.—Severe battle in the Indian country, between the Confederate forces (Texans and Indians) led by General Cooper and the loyal Indians led by Opotheleyholo. It was pronounced by the rebel authorities a drawn battle though Opotheleyholo fairly won a victory. The losses were great on both sides. Cooper's force was about 2000, that of the Chief about 500 greater. He was aided by many old hunters and scouts. Cooper "withdrew" fighting.

Dec. 10.—Sharp skirmish of pickets at Dam No. 4 on the Potomac near Sharpsburg. One Federal company entrapped and made prisoners.

Dec. 12.—Great conflagration in Charleston, S. C. Over one half of the richest portion of the city is consumed.—Colonel Merrill's cavalry return to Sedalia from a very successful scouting expedition bringing in a number of rebel emissaries, officers, spies, &c.—Skirmish at Green river, Ky., in which Co. I. of the Fifteenth Ohio repulses a rebel cavalry squadron.

Dec. 13.—Battle of Alleghany Summit. The Federals under General R. H. Milroy assail the rebels strongly, but ineffectually, owing to the want of artillery supports. Union loss, killed 20, wounded 107, missing 10. The rebel loss is known to have been severe. Colonel Edward Johnson commanded the rebel force, about 2000 strong.

Dec. 15.—Platte City, Mo., fired by the rebels, to "smoke out" the Federals. The court house and post office are consumed.

Dec. 17.—Conflict at Munfordsville, Ky. Colonel Willich's German regiment, Thirty-second Indiana, encounter and repulse a strong force under General Hindman. Federal loss 11 killed, 21 wounded. See pages 222–23.

Dec. 18.—Capture of Milford, Mo., by General Pope's forces, with 1300 prisoners, great quantities of arms, supplies, &c.—Expedition of reconnoissance up the North and South Edisto rivers, S. C., by Commander Drayton.



*Dec. 19.*—Rebels shell Colonel Geary's camp near Point of Rocks. Geary replies, and after a furious cannonade drives the rebels back, and destroys several houses where their sharpshooters are concealed. The enemy lost 18 killed and wounded.—A band of "Moccasin rangers" (rebel) plunders the town of Ripley, Va.

*Dec. 20.*—Battle of Dranesville. For particulars see pages 470-71.—Partial destruction of the Missouri railway by the rebels. One hundred miles of track between Hudson and Warrenton disabled; stations, water tanks, bridges and wood burned.—Attack on the rebels at Hudson by Major McKee, in which he kills 10 and takes 17 prisoners.—Sinking of the stone fleet in Charleston harbor. Operations commence on the 19th.—Jackson's (rebel) forces appear on the Potomac opposite Williamsport and at points a few miles below. His design is supposed to be to cross and sack the town.

*Dec. 22.*—Sharp skirmish at Newport News between Colonel Max Weber's men and rebel cavalry and infantry. The rebels are "punished" for interfering in foraging operations.

*Dec. 23.*—Rosecrans, from Wheeling, issues an address to his troops, proclaiming an end of the campaign.

*Dec. 24.*—Expedition from General Pope's command visits Lexington, Mo., destroying foundry, ferry boats, &c.—The War Department (Federal) issues orders discontinuing enlistments of cavalry. Enough are pronounced to be in the service.—Bluffton, S. C., occupied by Federal forces under General Stevens.

*Dec. 25.*—Bridge burned by the rebels over Charleston river, on the Hannibal and St. Joseph railway.

*Dec. 26.*—Arrival in New York of General Scott, from his brief visit to Europe. He returns fearing a war between Great Britain and the United States on the Mason-Slidell *emeute*.

*Dec. 27.*—Intelligence received of the good progress of National arms in New Mexico under command of Colonel Canby. Forts Craig and Stanton had been retaken and, at the last dates, the Federal officer was en route to retake Fort Fillmore, betrayed by Colonel Lynde. Colonel Canby had had a stirring campaign.—Bridges over the Fabius and North Fabius rivers, Mo., destroyed by the rebels.—Rebel forces in front of Washington are announced to have gone into winter quarters: considering the campaign ended.

*Dec. 28.*—General Prentiss, hunting up the bridge burners and rebel camps in Northern Missouri, attacks Colonel Dorsey at Mount Zion Church, Boone county. After a sharp conflict the rebels are utterly routed, with a very heavy loss in killed, wounded and prisoners. See page 457.—Colonel Vandever (Thirty-fifth Ohio) destroys the rebel salt works on Fishing creek, Ky.—Sharp conflict of cavalry at Sacramento, Ky. A scouting party from Colonel Jackson's Kentucky cavalry fell in with a strong detachment of Forrest's rebel cavalry. After a severe and to hand struggle the Federals fled, losing Captain Bacon killed and eleven wounded and prisoners. The rebels confessed to a greater loss, including Lieutenant-Colonel Merriweather killed. The Nationals fought with astonishing intrepidity against overwhelming odds.

—Settlement of the "Trent difficulty" first an-

nounced by the publication of the correspondence on the subject. Mason and Slidell are given up but no apology made, nor is Captain Wilkes suspended from command.

*Dec. 29.*—Pillage of the town of Commerce, Mo., by men from Jeff Thompson's force.

*Dec. 30.*—The first regular cartel passed between the Federal and Confederate authorities, by General Huger (rebel) announcing the readiness to deliver 240 prisoners of war from Richmond.—Destruction of the rebel light vessel and local battery at Wilmington, N. C., by an expedition from the steamer *Mt. Vernon*.

*Dec. 31.*—Biloxi, Miss., surrenders to an expedition consisting of three National gunboats, under command of Commodore Melancthon Smith. A prize also secured in the bay. The town is abandoned after the removal of the guns from the water battery.

*Jan. 1, 1862.*—Mason and Slidell, rebel emissaries arrested on the British steamer *Trent*, are delivered up to the British Government.—Fort Pickens again opens its guns on the land batteries and Navy Yard at Pensacola Bay.—Expedition against the rebel fortification at Port Royal ferry. The battery at that point was abandoned on the approach of the Federal gunboats and infantry.

*Jan. 2.*—Bombardment, by Federal gunboats, of the rebel battery on Cockpit Point, Potomac river.

*Jan. 3.*—Large arrest of bridge burners near Hunnewell, Mo., by Colonel Glover.—Reconnoissance by Colonel Max Weber to Big Bethel, Va.

*Jan. 4.*—General Milroy's expedition, under Major Webster, enters Huntersville, Western Virginia, and destroys the large amount of rebel winter stores at that point.—Heavy skirmish at Bath, Va. Federals driven back upon Hancock by Jackson's advance.

*Jan. 5.*—Fortifications erecting around Richmond, Va., are announced as progressing satisfactorily. It is assumed that, in three months, the city will be impregnable.

*Jan. 7.*—Expedition against and destruction of a rebel nest at Blue's gap, near Romney, Va., by Colonel Dunning, from General Kelley's command.—Skirmish near Paintsville, with Humphrey Marshall's (rebel) brigade. Marshall retires before the Federal cavalry of Major Bowles. Colonel Garfield occupies Paintsville from which Marshall fled in great precipitation.

*Jan. 8.*—Desperate fight between 17 men from Co. B, Second Virginia (Union) voluteers, Captain Latham, and 30 guerrillas, on Dry Fork, Randolph Co., Va. After an hour's "Indian fight" the guerrillas fled, leaving six dead upon the field. Federal loss, six wounded.—Severe struggle at Roan's tanyard, in Randolph Co., Mo. Majors Torrence and Hubbard's Federal cavalry attacks the rebel Poin-dexter's fortified camp and routs the rebels. Camp property is all burned, and 25 wagons of provisions, clothing, powder and arms secured.

*Jan. 9.*—Colonel H. Anisansel, with two companies of Virginia Union cavalry, pursue a large body of bushwhackers who had plundered Sutton, Va. The ragamuffins were come up with thirty miles east of Sutton when a fight immediately ensued. Thirty of the "rebel agents" were killed, wounded and taken prisoners, and their large train of plunder se-



cured.—Colonel Garfield comes up with Humphrey Marshall's force south of Paintsville, Ky. A battle follows in which Marshall's command is soon sent flying. See page 424.

*Jan. 10.*—Reconnoissance in force by General McClelland from Cairo to the vicinity of Columbus, Ky., to locate the rebel situation.

*Jan. 11.*—The enemy burns two large bridges on the Louisville and Nashville railroad between Munfordsville and Bowling Green, expecting Buell's advance in conjunction with Grant's advance from Cairo.—Sharp fight between three rebel gunboats from Columbus, Ky., and Commodore Foote's two gunboats *Essex* and *St. Louis*, which cover the landing of Grant's forces at Fort Jefferson. The rebel boats driven back, and followed up to the Columbus batteries.—Colonel Garfield, having routed Humphrey Marshall's brigade near Prestonburg, takes possession of that place.

*Jan. 12.*—The rebels continue the destruction of depots, culverts and property along the line of the Louisville and Nashville railway north of Bowling Green.—Burnside's advance sails from Fortress Monroe for Hatteras inlet.

*Jan. 13.*—Simon Cameron resigns his seat in the Lincoln cabinet as Secretary of War. Edwin M. Stanton is nominated by the President to the vacancy, and his nomination confirmed on the 14th.

*Jan. 19.*—Battle at Logan's farm near Mill Spring, Ky. Crittenden's and Zollicoffer's forces defeated by General Thomas with heavy loss; Zollicoffer being among the slain. See pages 426–28,

*Jan. 21.*—Return to Cairo of McClelland's command from the reconnoissance in force toward Columbus. The expedition was boldly conducted and proved very successful.

*Jan. 23.*—Stone laden hulks (second fleet) are sunk in the Maffit channel approach to Charleston.

*Jan. 26.*—Reconnoissance by Colonels Willich and Starkweather up the Nashville and Louisville R. R., from the vicinity of Munfordsville.—Expedition departs from Fort Royal to Savannah harbor.

*Jan. 28.*—Engagement in the Savannah river estuaries between the Federal gunboats and Commodore Tatnall's gunboats. The Commodore "retires."

*Jan. 29.*—Fifty men of the Thirty-seventh New York, under Lieutenant-Colonel John Burke, start late on the night of the 28th from Heintzelman's division position, push on to a house near Occoquan bridge where a body of rebels are enjoying a dance. The rebels resist with great fury and only surrender after nine Texan rangers, and one officer (a Major) are killed.

*Jan. 30.*—Successful launch of Erricson's iron floating battery *Monitor*.



# DIVISION VI.

## CHAPTER I

COMBINED NAVAL AND LAND OPERATIONS. THE PORT ROYAL EXPEDITION. ITS CONSTITUTION AND FORCES. ATTACK ON THE FORTS. TERRIFIC SCENE. THE FORTS CAPTURED. OCCUPATION OF THE FORTS BY THE LAND FORCES. OPERATIONS OF SHERMAN ON THE ISLANDS. INTERESTING INCIDENTS. NEGROES AND COTTON. THE STONE FLEET. CHARLESTON SEALED. THE BOMBARDMENT AT PENSACOLA BAY.

Scott's Programme of Combined Operations.

PRIOR to General Scott's retirement from the position of General-in-Chief he

had fully arranged the entire winter's campaign. Among other military strokes he had, in conjunction with the Navy Department, planned the several combined land and sea expeditions which resulted so gloriously to the cause of the Government, viz.: those against the forts at Hatteras Inlet, Port Royal, and Mississippi River (New Orleans). The first conception of these enterprises came from his room at the War Office; and in his room were they arranged in detail. They were designed to prelude the grand movements of the winter, of the armies of the east and west—*avant couriers* of coming events. If they now stand alone—as having no relation to advances into the interior and down the Mississippi River—it is only because Scott's plans were but partially carried out.

In the expedition to Port Royal it is true the commanders chose the point of attack after the squadron left Fortress Monroe, and that its leading object was to secure one or two good harbors of refuge where the blockading vessels might find a depot and safe resort during the winter; but, any point chosen—Bull's Bay, Winyaw Bay, Port Royal,

Charleston or Savannah, would have served also as a base for prosecuting the

Scott's Programme of Combined Operations.

war into the enemy's very heart—of severing his important railway connections and of cutting off his ease of inland transport. It thus assumed a grave importance as a military step. The Burnside expedition proposed as its work, the severance of direct coast communication between Richmond and Charleston—looked to the reduction of Norfolk by an approach from the south, and formed the nucleus of an army of occupation designed for the reduction of the State and its restoration to the Union. The expedition against New Orleans looked to the command of the Mississippi River and the restoration of Louisiana to Federal rule, as well as an eventual descent upon Mobile and Galveston.

If these expeditions answered their primary purposes only after a long season, it was from no lack of foresight in their original conception; and that they were allowed to remain mere isolated adventures is to the discredit of those responsible for the conduct of the war after Scott's withdrawal from command. When the future sits in judgment on the nerveless and aimless policy which characterized the movements of our arms in the three months succeeding November 1st,



1861, it will be to pronounce a sentence of disapprobation if not of condemnation.

The Port Royal  
Expedition.

Seventy-seven vessels sailed and steamed out of Hampton Roads, on the morning of Tuesday, October 29th, stretching out to sea, then heading for the South. It was a fleet of conquest, bearing one of the most superb armaments that ever floated in American waters.\* Frigates, sloops-of-war and gunboats were mixed in with stately ocean steamers; while these had in tow numerous small craft—all loaded to their fullest capacity with war *materiel* and men. For sixty days had the expedition been organizing, gathering not only vessels of war and transports, but also vast stores of everything

\* The comparative strength of the expedition will be illustrated by a reference to some of the famous naval and land demonstrations of other times. The "Invincible Armada" of Philip II., which sent such a terror through the English heart, was composed of one hundred and thirty-seven vessels of all grades, whose capacity may be inferred when it is announced that they bore on their decks only thirty-one thousand men, counting the crews. The prior demonstration of Philip's father, Charles Vth., on Tunis, numbered five hundred Genoese and Spanish vessels, yet carried only thirty thousand men. That of Peter the Great, upon the Caspian sea, numbered two hundred and seventy ships, but embarked no more than twenty thousand men. The expedition of Gustavus Adolphus to Germany, numbered fifteen to eighteen thousand men; that of Jussuf against Candia, thirty thousand; that of Kionperti against the same stronghold, fifty thousand; that of Charles XII. upon Denmark, fifty thousand. Hoche, in his attempted descent upon Ireland, counted twenty-five thousand. Bonaparte's expedition to Egypt, consisted of twenty-three thousand men, with thirteen ships, seventeen frigates, and four hundred transports. Abercrombie's expedition to Egypt numbered twenty thousand men; Cathcart's to Copenhagen, twenty-five thousand; Wellington's to Portugal, fifteen thousand, and to Spain, thirty thousand. Yet, the amounts of these adventures compared with the terrible guns mounted by the Federal fleet, were but as old horse pistols to the Minie rifle. The English expedition against Washington numbered eight thousand, and against New Orleans fifteen thousand. The French expedition against Algiers thirty thousand. The United States expedition, under General Scott, against Mexico, twelve thousand five hundred.

appertaining to a permanent land occupation in an enemy's country. Twenty-

The Port Royal  
Expedition.

two thousand men composed the crews and land forces embarked. Their destination was a mystery. Very few, even of those engaged in the adventure, knew of its ultimate point of operations. The press and people were excited on the topic, and the suspense became intense after it was known that the fleet had actually put to sea. Not until November 10th was the veil lifted and the country permitted to know where the blow had fallen. Then, through reports from rebel sources, it was ascertained that the Port Royal forts had been assailed. A day more sufficed to announce, through the same channel, that the forts had fallen, and the Yankees had made a lodgement on the soil of South Carolina at a vital point.

The squadron as originally organized was composed and

The Squadron

officered as follows, though all the gunboats here named did not participate in the bombardment:

Flag Officer of the Fleet, SAMUEL F. DUPONT.  
Flag ship, steam frigate Wabash, Commander Davis.  
Gunboat Augusta, Commander E. G. Parrot.  
Gunboat Curlew, Commander George H. Cooper.  
Gunboat Florida, Commander J. R. Goldsborough.  
Gunboat Isaac Smith, Commander J. W. A. Nicholson.  
Gunboat Mohican, Commander S. W. Godon.  
Gunboat Ottawa, Commander Thomas S. Stevens.  
Gunboat Pawnee, Commander R. H. Wyman.  
Gunboat Pembina, Commander P. Crosby.  
Gunboat Penguin, Commander T. A. Budd.  
Gunboat Pocahontas, Commander E. Drayton.  
Gunboat R. B. Forbes, Commander H. S. Newcomb.  
Gunboat Seminole, Commander J. P. Gillies.  
Gunboat Seneca, Commander Daniel Ammen.  
Gunboat Unadilla, Commander N. Collins.

The transport fleet embraced twenty-two ocean steamers, including such first class craft as the *Vanderbilt*, *Atlantic*, *Baltic*, *Cahawba*, *Ocean Queen*, *Ariel*, *Coatzacoalcas*, *Daniel Webster*, &c., &c. There were, besides, seven smaller steamers, two steam tugs, three steam ferry boats and twenty-six sailing vessels. Among the latter were the celebrated ships *Great Republic*, *Golden Eagle*, &c., &c. All of these ships named were among the most powerful in our commercial service. We mention this to indicate to what extent ship owners co-operated with Government. Their vessels all were volunteers.



## The Land Forces.

The military section of the expedition, under com-

mand of Brigadier-General T. W. Sherman, was composed of three brigades, named and officered as follows:

## FIRST BRIGADE,

Under command of EGBERT L. VIELE composed of  
New Hampshire Third, Colonel E. W. Fellows.  
Maine Eighth, Colonel Lee Strickland.  
New York Forty-sixth, Colonel Rudolph Rosa.  
New York Forty-seventh, Colonel Henry Moore.  
New York Forty-eighth, Colonel James H. Perry.

## SECOND BRIGADE,

Under command of ISAAC INGALLS STEVENS, composed of  
Pennsylvania Fiftieth, Colonel Benjamin C. Christ.  
Pennsylvania Roundhead volunteers, Colonel D. Leasure.  
Michigan Eighth, Colonel Wm. M. Fenton.  
New York Seventy-ninth, Lieutenant-Colonel W. H. Nobles.

## THIRD BRIGADE,

Commanded by HORATIO GATES WRIGHT, composed of  
New Hampshire Fourth, Colonel Thomas J. Whipple  
Connecticut Sixth, Colonel James L. Chatfield.  
Connecticut Seventh, Colonel A. A. Terry.  
Maine Ninth, Colonel Richworth Rich.

## Preliminary Operations.

The fleet moved out of Hampton Roads in fine order, on the morning of Oc-

tober 29th—the flag ship in the lead, and arrived off Kibben Head (Port Royal harbor entrance) during the night of Sunday and during the day of Monday, November 3d and 4th, after a very tempestuous passage. A gale was encountered off the North Carolina coast which much distressed the small craft and heavily laden transports. Three of them were disabled and returned in safety to Fortress Monroe; two foundered at sea with a loss, however, of only seven lives; two were driven ashore and abandoned. The presence of the several noble ocean steamers, as well as the active exertions of the larger steam vessels of war, saved the weaker transports from general disaster.

Early Monday morning Commander Dupont dispatched gunboats to take soundings and verify the old topographical engineers' survey of the channel. While engaged in this duty the rebel fleet, of five small steamers under command of Commodore Tatnall, late of the United States Navy, put out from one of the estuaries, and engaged the reconnoitering and surveying boats. After a sharp passage the rebel retired—evidently impressed with the smallness of his means to cope with such antagonists. The forts on Hilton head and Bay Point kept silence; nor did

any land batteries open, to indicate their whereabouts to the fleet. To draw their

## Preliminary Operations.

fire and determine their order of attack, the gunboat *Mercury*, under Captain Gilman, chief of the Engineer Corps, was despatched "along shore." Several of the vessels of war during the day dropt so far into the harbor, as to tempt the enemy to "show his teeth," which he did in a spirited manner, betraying a heavy battery on Hilton Head (afterwards discovered to be a well-appointed fort,) and two batteries on the opposite shores. The Union gunboats and the batteries exchanged fire for about two hours, when Commodore Dupont signalled the vessels out of the fight.

Wednesday morning was fixed upon as the moment for the reduction of the enemy's batteries; but, the flag-ship *Wabash* grounded on Fishing Rip shoal, and did not get off until too late for tide-flow, which her heavy draught required, in order safely to clear the bar and shoals. This unlooked for detention gave the enemy time for reenforcements and additional strengthening of his position. Spades were busy all the day long flinging up the soft sand into protecting walls, and guns appeared at new embrasures. The Federal fleet lay riding at anchor, all of Wednesday and night, in the outer roadstead just beyond the reach of the Confederate shot.

Thursday (November 7th)

## The Bombardment.

was the momentous day.

The morning was one of the most beautiful of Southern latitudes. A gentle breeze broke the clear water's face into ripples, as if the Naiades were smiling at the tragedy which portended. Butterflies fluttered through the air, and the songs of Southern birds broke the stillness with their waves of melody. The vessels of war reposed in quiet majesty upon the still sea, as if enjoying the listlessness of lazy life. Beyond them, yet farther away from the rebel guns, swung the transports at their anchors, swarming with the multitudes of brave men anxiously awaiting the clarion which should call them to arms.

A convocation of officers was held on the flag-ship on Wednesday evening, at which the Commodore unfolded his plan and gave his final orders. At nine o'clock, Thursday morning, the vessels began to move into line







The Rebel Troops  
Engaged.

unteers, Colonel Jones; the Ninth South Carolina volunteers, Colonel Haywood; a battalion of German artillery, under Colonel Wagener; about thirteen hundred men in all—enough to serve all the guns in the most efficient manner. They had also a field battery with five hundred troops stationed at a point a short distance above Hilton Head, where they anticipated our transports would undertake to land their forces for a flank movement, preparatory to carrying the fortification by assault. The forts, or batteries, opposite were manned by four hundred South Carolina volunteers.

Condition of the Forts.

The flight of the garrison evidently was a panic. A correspondent said: "The road which the retreating rebels took was strewn for miles with muskets, knapsacks, blankets, cartridge-boxes and other valuables that they had thrown away in their flights. They retreated across the island to Seabrook, a distance of half a dozen miles, where they took boat for Savannah. Even the wharf at Seabrook was strewn with valuables, carried thus far and abandoned at the last moment." Another person, present with the first landing party, thus daguerretyped the scene presented within the work: "The effects of our fire were to be seen on every hand. On the line along the front, three guns were dismounted by the enfilading fire. One carriage struck by a large shell, was shattered to pieces, dismounting the heavy gun mounted upon it, and sending the splinters flying in all directions with terrific force. Between the gun and the foot of the parapet was a large pool of blood, mingled with brains, fragments of skull and pieces of flesh, evidently from the face, as portions of whiskers still clung to it. This shot must have done horrible execution, as other portions of human beings were found all about it. Another carriage to the right was broken to pieces, and the guns on the water fronts were rendered useless by the enfilading fire from the gunboats on the left flank. Their scorching fire of shell which swept with resistless fury and deadly effect across this long water front, where the enemy had placed their heaviest metal, *en barbette*, without taking the precaution to place tra-

verses, between the guns, did as much as anything to drive the rebels from their works, in a hurried manner. The works were ploughed up by the shot and shell so badly as to make immediate repairs necessary. All the houses and many of the tents about the work were perforated and torn by flying shell, and hardly a light of glass could be found intact, in any building where a shell exploded. The trees in the vicinity of the object of our fire, showed marks of heavy visitations. Everything, indeed, bore the marks of ruin. No wonder, then, that the rebels beat a hasty retreat. I can, and do, cheerfully bear testimony to the gallant and courageous manner in which the rebels maintained their position under a hot fire, and fought at their guns where many would have fled." The severest fighting was done by Colonel Wagener's German artillery. Without them the fort could not have sustained the conflict one hour.

The *Wabash* fired, during the action, nine hundred shots, being all eight, nine, ten and eleven-inch shells, with the exception of a few rifled-cannon projectiles of a new pattern, used simply as a matter of experiment. The *Susquehanna* fired five hundred shots, the *Bienville* one hundred and eighty-five. The average of the gunboats and the other smaller ships was set down at one hundred and fifty each. There were, in all, sixteen vessels engaged. From all of them were fired not far from thirty-five hundred shot and shell at the two forts (Walker and Beauregard), the four gun battery, and at Tatnall's "fleet," which beat such a hasty retreat on Monday.

Fort Beauregard, on Bay Point, and the outlying battery were abandoned during the night of Thursday. Friday morning the Stars and Stripes floated from the flag staffs of both fortifications.

The Federal loss was eight killed in action, six severely wounded and seventeen slightly. The enemy's loss could not be determined. General Sherman said, in his report: "After the works were reduced I took possession of them with the land forces. The beautifully constructed work on Hilton's Head was

Condition of the Forts.

The Number of Shots  
Fired.

The Losses.



severely crippled, and many of the guns dismounted. Much slaughter had evidently been made there, many bodies having been buried in the fort, and some twenty or thirty were found some half a mile distant. The island for many miles was found strewed with army accoutrements and baggage of the rebels, which they threw away in their hasty retreat. We have also come into possession of about forty pieces of ordnance, most of which is of the heaviest calibre and of the most approved models, and a large quantity of ammunition and camp equipage."

Landing of the Land  
Forces.

Sherman's forces all were landed safely on Friday, and immediately took possession of the fortifications as well as of the immediately adjacent lands. Reconnoissances and scouting expeditions resulted in finding no enemy near—only negroes everywhere, and fields white with the rich bolls of sea island cotton, for which that region was the chosen garden. The negroes were not at all alarmed at the state of war prevailing—they rather seemed to enjoy it. Even to their benighted souls, the lightening and thunder of Federal artillery were prophecies of hope. But, the day of their deliverance had not yet come. The orders by which Sherman was to be governed, in dealing with the slaves, were as follows:

"WAR DEPARTMENT, Oct. 14th, 1861.

"*Sir*: In conducting military operations within States declared by the proclamation of the President to be in a state of insurrection, you will govern yourself, so far as persons held to service under the laws of such States are concerned, by the principles of the letters addressed by me to Major-General Butler on the 30th of May and the 5th of August, copies of which are herewith furnished to you. As special directions, adapted to special circumstances, cannot be given, much must be referred to your own discretion, as Commanding General of the expedition. You will, however, avail yourself of any persons, whether fugitives from labor or not, who may offer themselves to the National Government; you will employ such persons in such services as they may be fitted for, either as ordinary employees, or, if special circumstances seem to require it, in any other capacity, with such organization, in squads, companies or otherwise, as you may deem most beneficial to the service. This, however, not to mean a general arming of them for military

service. You will assure all loyal masters that Congress will provide just compensation to them for the loss of the services of the persons so employed. It is believed that the course thus indicated will best secure the substantial rights of loyal masters, and the benefits to the United States of the services of all disposed to support the Government, while it avoids all interference with the social systems of local institutions of every State, beyond that which insurrection makes unavoidable, and which a restoration of peaceful relations to the Union, under the Constitution, will immediately remove. Respectfully,

Cameron's Order to  
Sherman.

"SIMON CAMERON, Secretary of War.

"Brigadier-General T. W. SHERMAN, commanding expedition to the Southern coast."

Sherman's first step was to issue to the citizens of South Carolina a Proclamation setting forth the objects of his coming, and his progress in regard to those in arms against the country. We append the document, claiming attention to its humane sentiments and merciful tone:

Sherman's Proclama-  
tion to the People.

"TO THE PEOPLE OF SOUTH CAROLINA:

"In obedience to the orders of the President of these United States of America, I have landed on your shores with a small force of national troops. The dictates of a duty which under the Constitution, I owe to a great sovereign State, and to a proud and hospitable people, among whom I have passed some of the pleasantest days of my life, prompt me to proclaim that we have come among you with no feelings of personal animosity; no desire to harm your citizens, destroy your property, or interfere with any of your lawful laws, rights, or your social and local institutions, beyond what the causes herein briefly alluded to may render unavoidable.

"Citizens of South Carolina: The civilized world stands appalled at the course you are pursuing—appalled at the crime you are committing against your own mother, the best, the most enlightened and heretofore the most prosperous of nations. You are in a state of active rebellion against the laws of your country. You have lawlessly seized upon the forts, arsenals and other property belonging to our common country, and within your borders, with this property, you are in arms and waging a ruthless war against your Constitutional Government, and thus threatening the existence of a Government which you are bound by the terms of the solemn compact to live under and faithfully support. In doing this, you are not only undermining and preparing the way for totally ignoring your own political and social position, but you are threatening the



Sherman's Proclamation to the People.

civilized world with the odious sentiment that self-government is impossible with civilized man.

"Fellow Citizens: I implore you to pause and reflect upon the tenor and consequences of your acts, of the awful sacrifices made by the devastation of our property; the shedding of fraternal blood in battle, the mourning and wailing of widows and orphans throughout our land are insufficient to deter you from further pursuing this unholy war, then ponder, I beseech you, upon the ultimate, but not less certain result which its farther prosecution must necessarily and naturally entail upon your once happy and prosperous State. Indeed, can you pursue this fratricidal war, and continue to imbue your hands in the loyal blood of your countrymen, your neighbors, your friends, your kinsmen, for no other object than to unlawfully disrupt the Confederacy of a great people—a Confederacy established by your own hands—in order to get, were it possible, an independent Government, under which you can never live in peace, prosperity or quietness.

"Carolinians: We have come among you as loyal men, fully impressed with our constitutional obligations to the citizens of your State; those obligations shall be performed as far as in our power, but be not deceived. The obligation of suppressing armed combinations against the constitutional authorities is paramount to all others. If, in the performance of this duty, other minor but important obligations should be in any way neglected, it must be attributed to the necessities of the case; because rights dependent on the laws of the State must be necessarily subordinate to military exigencies created by insurrection and rebellion. T. W. SHERMAN,

"Brigadier-General Commanding.

"HEADQUARTERS, PORT ROYAL, S. C., Nov. 8, 1861."

This was but a mere form, however, since no means existed whereby it could be placed before the Carolina people. No Southern paper, if possessed of a copy, would dare or care to reprint it. Any negro found with a copy of it in his possession was sure to receive bloody stripes as his reward. Any man willing to accept the proffered mercy would have been deemed a traitor and punished accordingly by the rebel authorities, for *they* knew the meaning of treason and did not hesitate to apply the full rigor of the law to delinquents. For all of which reasons the proclamation fell as impotently as if it were written in an unknown tongue.

Saturday, November 9th, a reconnoissance was made up Broad and Beaufort rivers, by the gunboats *Seneca*, *Pembina* and *Curlew*.

The town of Beaufort was found deserted—only one white man was there and

Reconnoissance to Beaufort.

he was too drunk to escape. The fine residences were thrown open to the winds, and negroes were holding wild riot in parlors and chambers. Everywhere were evidences of a hasty exit—scarcely anything having been removed by the terror-stricken people. It was a foolish flight; had the inhabitants remained, none would have suffered in property or person. Yet, had any remained it would have been regarded an evidence of disloyalty to the South, so rigidly was the line drawn by those who made laws and created public sentiment in the South. No occupation of the place was made, however, at that time, though two gunboats remained anchored off the main street. November 12th it was visited by the two Commanders-in-Chief and again left to the negroes.

Meanwhile the work of unloading the fleet of transports was progressing, and the construction of wharves, depots, barracks, &c., entered upon. The defenses were at once put in a good state of efficiency, while great exertions were put forth to add to their extent and strength. A careful topographical survey of Hilton Head island was made, and, at all points indicated by the engineers, defensive works were thrown up. In one month's time the position was deemed perfectly secure against any attack which the enemy might make.

Extension of Fortifications.

No attack, however, was meditated. The alarm and terrorism which followed upon the Federal descent and occupation, for a brief period left the entire area of country from Charleston and Savannah quite at the mercy of any invading force. The latter city was a scene of extreme excitement for the week following the fall of Fort Walker; women and children fled into the interior, while all males capable of bearing arms, were called to the field—expecting every hour to hear the sound of Federal guns booming up from below against Pulaski. Every step was taken, during the weeks succeeding the advent of 'the Yankees,' to save Savannah from what was deemed her impending calamity—its occupation by

Alarm of the People.



Alarm of the People. Sherman's forces. A dispatch from Charleston to Richmond, Nov. 17th, said: "The unexpected failure of our shore batteries at Bay Point and Hilton Head to demolish at least one of the attacking vessels, has sadly shaken the popular confidence in the efficiency of our guns against the monster frigates and iron-clad gunboats which they may have to encounter, and now, so alarmed are many of the sordid souls that infest all the Southern cities, that the effect may already be seen in the lengthening of freight trains which leave almost hourly for the interior. In Savannah the panic is even more general and decided, whole neighborhoods having been suddenly left deserted by the exodus of the wives and children of those who are in arms at Fort Pulaski and the batteries on the Savannah river." This was no fancy picture.

Rebel Preparations for Defense. Charleston likewise was the scene of alarm; but with commendable energy—if energy in a bad cause can be commendable—the State authorities prepared to contest any advance beyond the limits of the islands adjacent to Hilton Head. In the week of Nov. 10th–17th, numerous bodies of militia and volunteers occupied various points along the Savannah and Charleston railway; Port Royal ferry was strongly fortified; at Pocataligo, ten miles North of Port Royal islands, fortifications were thrown up and guns mounted; a large force under command of General Drayton gathered at Bluffton; while the Ninth and Twelfth South Carolina volunteers, and the Edisto and Beaufort artillery took up a strong position on Port Royal island. Orders promulgated by General DeSaussure for the defense of Charleston were very stringent, indicating a purpose to defend that city to the last extremity. One section of the order may be quoted as indicative of the manner in which military conscription was enforced:

"The commanding officers of the Eighteenth and Nineteenth regiments will promptly issue orders for the draft pointed out in section CXLVI., A. A., 1841, A. A., 1841, and will order the persons so drafted to be warned for duty, and the persons so warned will promptly assemble at the respective muster grounds, armed and equipped for duty. All

persons so drafted and warned who shall neglect or refuse to assemble and march with their respective commands will be reported to these headquarters, to be dealt with according to law."

The want of light boats, Sherman's Activity. capable of navigating shallow waters forming an intricate but admirable inland communication between Charleston and Savannah, prevented the Federal forces from operating against the enemy at the points indicated. Sherman afterwards wrote,\* in defense of his apparent inactivity at that time: "Immediately after effecting a landing at Port Royal—a place that had not been agreed upon to land until after the departure of the expedition—I studied the general state of affairs as far as I was able, and concluded that in consideration of the unlooked-for extent of the success of the combined expedition thus far, (which involved the capture of the whole coast from Edisto to Ossabaw Sound,) with a reenforcement of ten thousand men, five light draught steamers, a certain number of rowboats, and a certain additional amount of land transportation, a system of internal operations that would not conflict with the general plan of the campaign, but would be a great support to it, might be wisely conducted from Port Royal as soon as our positions were secured, and that would lead to the capture of Savannah and Fort Pulaski, and, as an immediate consequence, the whole coast south, and afterwards Charleston. This plan, as a generality, was proposed to the War Department, and the reenforcements and means as above, asked for.

"The plan for reducing Pulaski was fully and speedily approved, and the armament for the siege asked for was ordered. The armament, I believed, had mostly to be manufactured, and did not reach me in sufficient quantity to authorize an effectual assault till the last of March. The general plan was supposed to have been also approved, inasmuch as the siege armament, the steamboats and rowboats were ordered to be sent to me. But the steamers that were sent from New York in the latter part of December never

\* Communication to *National Intelligencer*, July 26, 1862. See the same for a full exposition of his conduct of affairs in that department, up to March 30th, 1862.



Sherman's Activity.

reached me—not one; the reason, I suppose, will some

day come to light. The hundred rowboats, though I had been officially advised, in the middle of January, that they had been hurried on, never reached me until the 24th of March—five days before I was relieved from duty there, and even then but half the number that had been asked for. The reason for this extraordinary delay, it is hoped, will also some day come to light. In the course of the winter I received also a reenforcement of four regiments of infantry, one of cavalry, and one harnessed light battery. So, unless the army could have been possessed with the attributes of a Moses, my plans, or indeed any system of internal operations, could not have been carried out or pursued during the time I commanded the expedition.”

With the insufficient means at his disposal for extended operations much was done. An expedition consisting of three gunboats proceeded (Nov. 24th) to Tybee island, off Savannah river—meeting with no opposition from the rebel fortifications at that point. A reconnoissance by General Sherman in person, was made Nov. 26th, to within half a league of Fort Pulaski, which saluted the party with several shells. Other reconnoissances followed, resulting in giving the Federal commanders a perfect knowledge of the enemy's disposition and strength. Beaufort was finally occupied on the night of Dec. 6th, when Stevens' brigade pitched their camps in and around the village. It was indeed a melancholy sight to witness those homes of ease and aristocratic association given over to desolation or to the wild revels of negroes, who, for the first time in their existence, knew no restraint. The village became hospital headquarters and afforded comfortable provision for the soldiers debilitated by the climate. Tybee island was formally occupied, a few days later, by the Forty-sixth New York regiment. December 20th, seven companies of the Seventh Connecticut, under Colonel Terry, landed, with materials for a permanent possession. Fort Pulaski opened on the transports bearing the troops, but without effect—the distance being too great for its guns. Thereafter Savannah harbor was so effectively sealed that the fleet of old

vessels laden with stone and designed to be sunk in

Sherman's Activity.

the channel, was permitted to leave for other waters. The British steamship *Fingal*—which had escaped the blockade and had borne a heavy load of artillery, arms and munitions to the rebels—was, at that time, in Savannah harbor. She never was able to escape with her heavy return load of cotton, but was finally burned to prevent her seizure by the Federalists. We have already referred to this craft, [see foot Note, page 143,] as an evidence of the gross violation of the Queen's proclamation of neutrality [see Appendix, page 474]. It is gratifying to know that, like many similar breaches of international comity, it resulted in heavy loss to the abettors of insurrection.

The old vessels above adverted to were purchased

The Stone Fleet.

in the North, from among the disabled and idle whalers, were loaded heavily with stone, and dispatched to the South, with orders to rendezvous at Hilton Head and Savannah. The design was to sink them in harbor channels and thus to render a blockade effective. Savannah being secure by the occupation of Tybee island, the vessels which had there rendezvoused were diverted to Charleston, where they were successfully submerged, December 19th and 20th, in the main ship channel, between Morris' and Sullivan's islands. They were so disposed as to prevent the exit or entrance of any craft, though not to bank up the waters and thus create sand bars. The Federal Government's wish was temporarily to obstruct the passage, in order to assist in the blockade at a season when it would be difficult and dangerous for the squadron to maintain its place off the station.\* The passage called Maffit's channel was obstructed, a few days later. We may add, neither pas-

\* The English Government protested against the sealing up of harbors by artificial process. As if, in the first place, it was any of the English Government's business; and, in the next place, as if the English Government had not practised the same belligerent right in French harbors. Mr. Seward replied to the protest in effect that the United States Government held itself bound to return the obstructed harbors to efficiency after peace was restored.



sage was more than obstructed in name, for they were both used by the blockade runners ere three months had expired.

The Negro.

Great quantities of cotton were found on the islands, in spite of the burning ordered by the authorities. The gathering, packing and shipping of this much desired staple occupied a large force of negroes, who came in in such numbers as to form a colony of a very unique character. These people, deserted by their owners, sought the Federal lines without fear, although South Carolina masters sedulously disseminated among them the idea that every negro man, woman and child coming within reach of the Yankees would be sent immediately to Cuba for sale. It was an amusing sight to witness the quiet humor with which the slaves expressed their disbelief in any story of worse evils than they had, for generations, suffered. Acting under orders from the War Department, Sherman had them comfortably quartered; all were busily employed who were able to work, and, for the first time in their menial estate, received pay for their services; a corps of instructors was sent from the North, and the laws of South Carolina were so far set at defiance as to open schools and chapels for their instruction. The experiment there initiated proved to the world how great was the capacity of the negro for improvement, and forever gave a quietus to the convenient assumption of the slave breeder and owner that a negro was in his normal condition when treated as a beast of burden rather than as a human being.

Cotton Burning and Gathering.

The planters in the section likely to be visited by the Federalists quite generally sought to remove their negroes and to consume their cotton. A correspondent writing from Charleston to a Richmond paper, under date of Nov. 21st, said:

"For the past five days gangs of negroes from the sea coast, laden with such effects as they can carry, and followed by droves of mules and horses, have been passing through the city on their way to the back country. Night before last the whole atmosphere in the city, and for miles around, notwithstanding the bright moonlight was heavy and lurid. Many could not account for the phenomenon. It was the effect of the wholesale conflagration of cotton now going on at Edisto and other islands

intervening between Port Royal and Charleston. Whenever the marauders choose next to land, and it is useless to disguise the fact that they can land at a great many points, they will find nothing but devastated fields, deserted by all save the avenging presence of the partisan riflemen. The patriotic sacrifice which has been made by our planters is all the greater when we consider that the crops of the past season have far exceeded the best ever before known."

Cotton Burning and Gathering.

Notwithstanding this attempted general destruction, as already said, so great was the quantity of cotton remaining, that the Federal Government dispatched a special agent to Port Royal for rescuing the staple and remitting it to the North for sale. Several large cargoes eventually found their way to New York, where they were sold.

Adventure of the Mayflower.

Many stirring adventures occurred during December. That of the steamer *Mayflower* may be referred to as illustrative of the "sport" which followed reconnaissances up the island rivers. This steamer attempted a running hydrographical survey of the Coosaw river, Dec. 18th. She proceeded without obstruction ten miles up the stream, when a long line of infantry, concealed in the dense woods lining the banks, opened a cutting fire. The steamer pushed on, however, determined to carry out her explorations. A six pound howitzer in her bows, worked by a detachment of the Third Rhode Island volunteers, under Captain Day, scattered grape and cannister so freely in the thickets as to render the enemy comparatively harmless. A masked battery was encountered at a narrow section of the river, which suddenly betrayed four embrasures. To turn in the stream was impossible; nothing remained but to run the gauntlet under a low head of steam, since the channel was to be "felt," and the danger of grounding imminent. Captain Phillips, with a firmness quite admirable, kept on his course, receiving the fire of the battery at three hundred yards—the Rhode Islanders answering with their single gun. It was a critical moment. The enemy's pieces were badly handled, shooting over their mark. One well served shot would have ended the steamer's voyage. The danger was passed in comparative safety,



Adventure of the  
Mayflower.

only two balls cutting into the steamer's upper works. She finally grounded when nearing the ferry at Beaufort island, and lay there an hour in momentary expectation of attack. Seeing her peril three boats, filled with men from the New York Seventy-ninth (Highlanders) volunteers, put out to the rescue. A section of a battery opened on the boats, but did not succeed in sinking them. They reached the steamer in safety—the Rhode Islanders' howitzer, in the meantime, pitching shell into the rebels, keeping them at a respectful distance. Reenforcements from the Eighth Michigan came up and effectually covered the steamer until she was extricated from her peril.

Important Gunboat  
Reconnoissance.

A series of important reconnoissances, projected by Commodore Dupont, occurred during the week, Dec. 15–22. It was executed by the gunboats *Pawnee* and *Seneca*, piloted by the little steamer *Vixen*, under command of Captain Boutelle, of the Coast Survey corps—the expedition being under the direction of Commander Percival Drayton, of the *Pawnee*. It proceeded up the coast to the mouth of the North Edisto river, where the negroes represented a strong battery to have been located. The work was discovered on Wardlaw island and fire opened on it; but, no answer being made, the small boats pulled ashore to find it deserted and partially destroyed. The gunboats penetrated several miles up the Edisto, discovering another silent fortification and securing a rebel schooner with her load of cotton and provisions. An encampment was found, from which four or five hundred brave defenders had fled ingloriously, leaving much camp and private property behind—all of which was appropriated, together with a store house filled with bacon and hominy. The work of observation continued up to Saturday, Dec. 21st, when the expedition returned to headquarters to report the enemy's sea coast defences all abandoned in the vicinity explored. The same week the South Edisto was visited to find it also abandoned.

The enemy retained possession of the several positions guarding land approaches to the interior. Port Royal ferry, ten miles from

Beaufort, at the intersection of the Beaufort and Coosaw rivers, was com-

The Enemy at  
Port Royal Ferry.

manded by Confederate guns. Entrenchments were thrown up, and every preparation made to dispute any crossing at that point. On the last day of December an expedition designed to dislodge the enemy was started. It was composed of four gunboats, under general command of Captain Raymond Rogers, and Stevens' brigade, with two additional regiments ordered up from Hilton Head. This powerful demonstration caused the enemy to retire after a brief artillery skirmish, leaving the ferry open to occupation at any time. The Confederates destroyed their works before retiring.

Sherman, referring to his operations during the winter, said: "Efforts were ef-

Sherman's Winter  
Operations.

fectually made to isolate Pulaski from Savannah, and all the means we were able to bring to bear on that object were put to use. Had a few gunboats been able to get into the Savannah River, our batteries would have been erected on the mud flats in time to prevent the supplying of the fort with provisions, and thus insured its fall without the slow and expensive mode of bombardment. But, as it was, its fall was thereby hastened, and a threat upon Savannah, planned by Commodore Dupont and myself, which resulted in the quiet fall of Brunswick, Fernandina, St. Johns, and St. Augustine, materially assisted. The almost herculean task of collecting, landing, and setting up the immense siege armament on Tybee, was also successfully and energetically prosecuted and about completed." As the operations here referred to extended into the spring and summer of 1862, we leave their consideration to a future chapter.

Two other expeditions were fully determined upon during September and October, namely: one upon New Orleans and one upon North Carolina. The command of the first was confided to Major-General B. F. Butler—the other to Major-General Ambrose E. Burnside. They did not move, in force, however, until the winter was advanced; hence the record of their disasters and successes properly falls to a later date than that now under consideration.



Bombardment at  
Pensacola Bay.

Fort Pickens, which, all the long summer, had frowned defiance at the half circle of Confederate batteries environing it, finally opened its guns on the morning of Nov. 22d, with the intent of punishing the rebels for their night attack on Wilson's Camp [see page 357] and for other indignities offered to the American flag. The steam frigate *Niagara* and the *Richmond* participated, with instructions to draw the fire of Fort McRae and two batteries which enfiladed Pickens' parapet guns. During the entire day of the 22d, the bombardment was terrific—the entire line of the Confederate batteries and forts answering with the greatest fury, but with little or no damage to the fort or fleet. Colonel Harvey Brown, in command of the fort and out-lying batteries, had so well banked up the walls of Pickens with sand bags as to render the enemy's shot almost harmless. The Colonel thus chronicled his first day's work :

"Having invited Flag Officer McKean to co-operate with me in attacking the rebels, and to which he gave a ready and cordial assent, I, on the morning of the 22d, opened my batteries on the enemy, to which, in the course of half an hour, he responded from his numerous forts and batteries extending from the Navy Yard to Fort McRae, a distance of about four miles, the whole nearly equi-distant from the fort, and on which line he has two forts—McRae and Barrancas—and fourteen separate batteries, containing from one to four guns, many of them being ten-inch columbiads and some twelve and thirteen-inch sea coast mortars, the distance varying from two thousand one hundred to two thousand nine hundred yards from this fort. At the same time of my opening, Flag Officer McKean, in the *Niagara*, and Captain Ellison, in the *Richmond*, took position as near to Fort McRae as the depth of water would permit, but which unfortunately was not sufficiently deep to give full effect to their powerful batteries. They, however, kept up a spirited fire on the fort and adjacent batteries during the whole day. My fire was incessant from the time of opening until it was too dark to see, at the rate of a shot for each gun every fifteen or twenty minutes, the fire of the enemy being somewhat slower. By noon the guns of Fort McRae were all silenced but one, and three hours before sunset this fort and the adjoining battery ceased fire. I directed the guns of

batteries Lincoln, Cameron and Totten, principally on the batteries adjacent to the Navy Yard, those of Battery Scott to Fort McRae and the lighthouse batteries, and those of the fort to all. We reduced very perceptibly the fire of Barrancas, entirely silenced that in the Navy Yard, and in one or two of the other batteries the efficiency of our fire, at the close of the day, not being the least impaired."

November 22d, the bombardment continued, with great effect, though the

Bombardment at  
Pensacola Bay.

two ships, owing to the fall of the tide, had to withdraw beyond working range. Pickens, however, did the work quite well enough. Fort McRae was silent; hence, all the strength of the heavy guns was spent upon the Navy Yard, Fort Barrancas and the intervening batteries. The Colonel's report stated :

"About three o'clock fire was communicated to one of the houses in Warrington, and shortly afterwards to the church steeple, the church and the whole village being immediately in rear of some of the rebel batteries, they apparently having placed them purposely directly in front of the largest and most valuable buildings. The fire rapidly communicated to other buildings along the street until probably two-thirds of it was consumed; and about the same time fire was discovered issuing from the back part of the Navy Yard, probably in Wolcott, a village to the north and immediately adjoining the yard, as Warrington does on the west. Finally it penetrated to the yard, and as it continued to burn brightly all night I concluded that either in it or in Wolcott, many buildings were destroyed. Very heavy damage was also done to the buildings of the yard by the avalanche of shot, shell and splinters showered unceasingly on them for two days, and being nearly fireproof, built of brick and covered with slate, I could not succeed in firing them, my hot shot nor shells having no power of igniting them."

The destruction of the town and Navy Yard was quite complete; while the lesson taught the enemy in dismantling their supposed-to-be impregnable works, served to convince the Confederate Government of the folly of keeping up their guard over Pickens. Lieutenant Slemmer's watchfulness and bravery had saved the fortress at the only moment when it could have been seized: after its reinforcement [see pages 57-67-110] it passed forever from Confederate reach so long as loyal men manned its guns.



## CHAPTER II.

### THE MASON-SLIDELL ARREST. PARTICULARS OF THE AFFAIR AND THE OFFICIAL PAPERS IN THE CASE.

Importance of the  
Event.

PERHAPS no event of the war created a sensation so profound as that caused by the arrest of the rebel commissioners, Messrs. Mason and Slidell. This act at once opened the whole question of belligerent rights, the right of seizure on the high seas and the responsibilities of nations to nations by maritime usage, law and treaty. Its story ever will possess an intrinsic interest from its novel and exciting circumstances; while the questions involved must render it a precedent to which all future authorities will refer for law and international rights. We shall give it, therefore, such consideration as its importance deserves.

The Rebel Mission.

To forward the cause of the Confederate Government at the Courts of Great Britain and France, Jefferson Davis commissioned James M. Mason of Virginia and John Slidell of Louisiana as special ambassadors. These persons sailed for Cardenas, Cuba, in the steamer *Theodora*, which passed out of Charleston harbor on the night of October 12th, safely eluding the blockade. The fleet steamer *Nashville* passed out the previous night, to draw off any watchful cruiser which might be hovering around—it having been given out by the Confederate press that the Commissioners were to sail in her. [The *Nashville* arrived at Southampton, England. November 21st, with a valuable cargo of cotton. On the 19th she met and burned the American ship *Harvey Birch*—throwing her crew in irons, but releasing them on English soil. She disposed of her cargo and refitted at her leisure in Southampton. Her case is referred to in the foot note, page 356.] The *Theodora* reached Cardenas in safety, from

The Rebel Mission.

whence the ambassadors with their retinues, proceeded overland to Havana. The steamer was received with great honors on her arrival at the Cuban capital. A public reception was given her at the Tacon theatre and a Confederate flag presented. The ambassadors were waited upon, on their arrival, by H. B. M. consul, Mr. Crawford, in full dress, and by him were introduced to the Captain General. They remained in Havana but a brief period, awaiting the departure of the English mail steamer *Trent*, which was to sail Nov. 7th, for St. Thomas, where they were to take passage for Europe.

Captain Wilkes.

Captain Charles Wilkes, of the U. S. steam sloop of war, *San Jacinto*, being at Cienfuegos, on the southern side of Cuba, on his return from a long cruise off the coast of Africa, heard of the presence of the rebel ministers. He at once resolved to cut off the return of the *Theodora* as well as to seize the ambassadors on the high seas. In his report he gave to the Secretary of the Navy his reasons for seizure, and his authority therefor. Acting as he did without precedent or direct orders, he had to study the peculiar case in all its bearings, fruitful as he knew it must be of excitement and of “notes” between the Governments of the United States and Great Britain. He stated his procedure as follows:

His Statement of the  
Case.

“When I heard at Cienfuegos, on the south side of Cuba, of these Commissioners having landed on the Island of Cuba, and that they were at Havana, and would depart in the English steamer of the 7th of November, I determined to intercept them, and carefully examined all authorities on international law to which I had access, viz: Kent, Wheaton, Vattel, besides the various decisions of



His Statement of the  
Case.

Sir Wm. Scott and other Judges  
of the Admiralty Court of  
Great Britain, which bore upon

the rights of neutrals and their responsibilities.

"The Governments of Great Britain, France and Spain having issued proclamations that the Confederate States were viewed, considered and treated as belligerents, and knowing that the ports of Great Britain, France, Spain and Holland, in the West Indies, were open to their vessels, and that they were admitted to all the courtesies and protection vessels of the United States received, every aid and attention being given them, proved clearly that they acted upon this view and decision, and brought them within the international law of search and under the responsibilities, I therefore felt no hesitation in boarding and searching all vessels of whatever nation, I fell in with, and have done so.

"The question arose in my mind whether I had the right to capture the persons of these Commissioners—whether they were amenable to capture. There was no doubt I had the right to capture vessels with written dispatches; they are expressly referred to in all authorities, subjecting the vessel to seizure and condemnation if the captain of the vessel had the knowledge of their being on board. But these gentlemen were not dispatches in the literal sense, and did not seem to come under that designation, and nowhere could I find a case in point.

"That they were Commissioners I had ample proof from their own avowal, and bent on mischievous and traitorous errands against our country—to overthrow its institutions and enter into treaties and alliances with foreign States, expressly forbidden by the Constitution.

"They had been presented to the Captain General of Cuba by her British Majesty's Consul General, but the Captain General told me he had not received them in that capacity, but as distinguished gentlemen and strangers.

"I then considered them as the embodiment of despatches, and as they had openly declared themselves as charged with all authority from the Confederate Government, to form treaties and alliances tending to the establishment of their independence, I became satisfied that their mission was adverse and criminal to the Union, and it therefore became my duty to arrest their progress and capture them, if they had no passports or papers from the Federal Government, as provided for under the law of nations, viz: 'That foreign ministers of a belligerent on board of neutral ships are required to possess papers from the other belligerent to permit them to pass free.'

"Report and assumption gave them the title of

Ministers to France and England, but inasmuch as they had not been received by either of

Captain Wilkes' State-  
ment of the Case.

these Powers, I did not conceive they had immunity attached to their persons; and were but escaped conspirators plotting and contriving to overthrow the Government of the United States, and they were therefore not to be considered as having any claim to the immunities attached to the character they thought fit to assume.

"As respects the steamer in which they embarked, I ascertained in the Havana that she was a merchant vessel plying between Vera Cruz, the Havana and St. Thomas, carrying the mail by contract.

"The agent of the vessel, the son of the British Consul at Havana, was well aware of the character of these persons, that they engaged their passage and did embark in the vessel; his father had visited them, and introduced them as Ministers of the Confederate States, on their way to England and France.

"They went in the steamer with the knowledge and consent of the captain, who endeavored afterwards to conceal them by refusing to exhibit the passenger list and the papers of the vessel. There can be no doubt he knew they were carrying highly important despatches, and were endowed with instructions inimical to the United States. This rendered his vessel (a neutral) a good prize, and I determined to take possession of her; and, as I mentioned in my report, send her to Key West for adjudication, where I am well satisfied she would have been condemned for carrying these persons, and for resisting to be searched; the cargo was also liable, as all the shippers were knowing to the embarkation of these live despatches, and their traitorous motives and actions to the Union of the United States.

"I forbore to seize her, however, in consequence of my being so reduced in officers and crew, and the derangement it would cause innocent persons, there being a large number of passengers, who would have been put to great loss and inconvenience as well as disappointment from the interruption it would have caused them in not being able to join the steamer from St. Thomas for Europe. I, therefore, concluded to sacrifice the interests of my officers and crew in the prize, and suffered the steamer to proceed after the necessary detention to effect the transfer of these Commissioners, considering I had obtained the important end I had in view, and which affected the interests of our country, and interrupted the action of that of the Confederates.

"I would add that the conduct of her Britannic Majesty's subjects, both official and others, showed but little regard or obedience to her proclamation, ay aiding and abetting the views and endeavoring



to conceal the persons of the Commissioners. I have pointed out sufficient reasons to show you that my action in this case was derived from a firm conviction that it became my duty to make these parties prisoners, and to bring them to the United States.

"Although in my giving up this valuable prize I have deprived the officers and crew of a well earned reward, I am assured they are quite content to forego any advantage which might have accrued to them under the circumstances.

"I may add that, having assumed the responsibility, I am willing to abide the result."

Arrival of the  
San Jacinto.

The first news of the action of Captain Wilkes was given to the public by the

arrival of the *San Jacinto* at Fortress Monroe, November 15th, having the ambassadors and their secretaries on board as prisoners. Captain Wilkes cruised up along the coast, hoping to arrive in season to participate in the Dupont-Sherman expedition. In this he was disappointed—the blow having fallen on Port Royal at the moment when the look-outs on the *San Jacinto's* mast head were eyeing the old Bahama channel off the light house Paredon del Grande, for the English steamer. The prisoners were permitted to look in upon the captured port, and into Charleston on their way north. Having dispatched Captain Taylor as bearer of dispatches to Washington, Captain Wilkes steamed away to New York, where he arrived (off Sandy Hook) November 18th. Dispatches awaited him, directing that the prisoners be delivered to Colonel Dimmick, at Fort Warren, in Boston harbor. Thither they were taken, under the special charge of U. S. Marshal Murray, of New York, who accompanied the ship in the trip to Boston. The prisoners were delivered to the Fort Warren warden, November 24th, and were placed, at once, in strict confinement in excellent quarters.

Excitement in  
America.

The news of this arrest produced the most intense excitement among all classes throughout the country. The popular

voice enthusiastically approved of Wilkes' proceedings, but the thinking few saw in it cause for serious apprehension. A British *mail* steamer had been rifled on the high seas—would not Great Britain resent the outrage? Journalists flew to long neglected legal tomes

for "the law," and paraded the result in extracts from Vattel, Puffendorf, Chitty,

Excitement in  
America.

Wheaton, Kent, Martens, Sir William Scott, D'Hautefeuille. It was apparent, from the quotations given from these eminent writers, that "the law" substantially covered the justice of the seizure; but, despite all that, those familiar with the spirit of British diplomacy knew that no law or precedent would be allowed to cover the case. The most eminent jurists in the country volunteered opinions—all confirmatory of the popular view; yet, beneath all the assurances given, there was an under-current of doubt and apprehension which, as the days rolled away, became painful. That the people in their hearts approved Wilkes' action was evident from the congratulatory strains of the press and from public receptions tendered him. Even the Secretary of the Navy acknowledged his services in a flattering letter *endorsing* his course and confirming his procedure.

The reception of the news in England caused the most marked sensation, in public and private circles. From persons of low and high degree the act was condemned.

Intense Feeling in  
England.

Almost to a man the English people demanded satisfaction. The friends of the Union were, for the moment, appalled at the storm of invective and threat which met them everywhere from Edinburg to Marseilles. General Scott, at that time, was in the French capital, designing to remain in the South of Europe during the winter. His presence was opportune, for he alone of all Americans abroad could command a hearing in that tempestuous atmosphere. He at once wrote a letter to the Paris press, through the American consulate, giving assurances that the seizure was *not* ordered from Washington nor premeditated by the Cabinet, and expressed the firm conviction that all would be well between Great Britain and his Government. He reviewed the act as it was presented through British channels, and very ably argued the case in extenuation of the seizure, leaving the two Cabinets to dispose of it in an amicable and satisfactory manner. The old chief comprehended the subject with



General Scott's Paris  
Letter.

great clearness, and indicated the grounds—afterwards assumed by Mr. Seward—upon which the settlement would rest. We may quote:

"If, under these circumstances, England should deem it her duty, in the interest of civilization, to insist upon the restoration of the men taken from under the protection of her flag, it will be from a conviction, without doubt, that the law of nations in regard to the rights of neutrals, which she has taken a leading part in establishing, requires revision, and with a suitable disposition on her part to establish those rights upon a just, humane and philosophic basis. Indeed, I am happy to see an intimation in one of the leading metropolitan journals which goes far to justify this inference. Referring to the decisions of the English Admiralty Courts now quoted in defense of the seizure of the American rebels on board the *Trent*, the *London Times* of the 28th of November says:

"So far as the authorities go, the testimony of international law writers is all one way, that a belligerent war cruiser has the right to stop and visit and search any merchant ship upon the high seas. \* \* \* \* \* But it must be remembered that these decisions were given under circumstances very different from those which now occur. Steamers in those days did not exist, and mail vessels carrying letters wherein all the nations of the world have immediate interests, were unknown. We were fighting for existence, and we did in those days what we should neither do nor allow others to do, nor expect ourselves to be allowed to do in those days."

"If England, as we are here encouraged to hope, is disposed to do her part in stripping war of half its horrors by accepting the policy long and persistently urged upon her by our Government, and commended by every principle of justice and humanity, she will find no ground, in the visit of the *Trent*, for controversy with our Government. I am sure the President and people of the United States would be but too happy to let these men go free, unnatural and unpardonable as their offenses have been, if by it they could emancipate the commerce of the world. Greatly as it would be to our disadvantage at this present crisis to surrender any of those maritime privileges of belligerents which, sanctioned by the laws of nations, I feel that I take no responsibility in saying that the United States will be faithful to her traditional policy upon this subject, and to the spirit of her political institutions."

Here, it will be perceived, is indicated the line of argument pursued by the Federal Secretary of State, wherein he *forced* the British Government to an acknowledgement of the principle for which we fought the war of 1812-14, but which had never been conceded

in treaty or in law, viz: the abrogation of the right\* of maritime seizure and search.

General Scott's Paris  
Letter.

British pride and arrogance never would disclaim that right, though the principle was abandoned in practice after the war referred to.

Troops at once were ordered to Canada. Several ocean steamers were taken

Warlike Attitude of  
England.

as transports. The then celebrated floating iron monsters, *Warrior* and *Black Prince*, were put in readiness for immediate service. Other naval preparations were made, indicating England's readiness to enforce her views with all her available guns. The Queen issued proclamations, December 4th, prohibiting export or coast wise commerce in arms, ammunition, military stores and lead. Arsenals and military rendezvous were alive with activity, and the recruiting offices did a thriving business. Every outward appearance seemed to indicate war upon a scale to task the best energies of the kingdom. Europe looked on in alarm; and, as the weeks of December slowly floated by, the anxiety became even more painful than that felt in the United States. The eagerness of the English people to fly to arms seemed to demonstrate how wide-spread was the feeling of antagonism to this country; yet, after all, it indicated less the hostility to this country than a purpose to defend the British flag and British honor. The secessionists in Europe, however, put the worst construction on affairs, and loudly rejoiced at the prospect of the Federal Government's collision with a great naval power.

The Queen's messenger arrived in Washington December 19th, with instructions and dispatches for Lord Lyons. The messenger of our Minister at the Court of St. James, Mr. Adams, arrived the next day. Excitement grew feverish, and the *denouement* was looked for every hour. The United States Senate went into Executive Session

Arrival of the De-  
mand.

\* The Treaty of Paris (1856) covered this principle and received the endorsement of the English Government; but, as the United States had not signed the Treaty, as far as this country was concerned England had made no concessions.



Arrival of the Demand.

Dec. 19th, and considered a special message from the President. Lord Lyons held two confidential interviews with Mr. Seward on the 20th, which were represented as having been cordial and friendly. A cabinet consultation was not called until the 26th, when the whole matter regarding the *Trent* affair was understood to have been settled. At that meeting Mr. Seward's reply to Lord Lyons' communication was canvassed and adopted. The public was soon informed of the result attained by the publication, December 28th, of the correspondence giving the terms of amicable adjustment, by which Messrs. Mason and Slidell and their secretaries were to be placed on board of a British ship of war to be borne to England. The demand and reply we give at length. The first was as follows;

"FOREIGN OFFICE, Nov. 30th, 1861.

THE LORD LYONS, K. C. B., &C. :

"*My Lord*: Intelligence of a very grave nature has reached her Majesty's Government.

"This intelligence was conveyed officially to the knowledge of the Admiralty by Commander Williams, agent for mails on board the contract steamer *Trent*.

Lord Lyons' Instructions.

"It appears, from the letter of Commander Williams, dated 'Royal Mail Contract Packet *Trent*, at Sea, November 9th,' that the *Trent* left Havana on the 7th inst., with her Majesty's mails for England, having on board numerous passengers. Commander Williams states that shortly after noon on the 8th, a steamer, having the appearance of a man-of-war, but not showing colors, was observed ahead. On nearing her, at fifteen minutes past one P.M., she fired a round shot from her pivot gun across the bows of the *Trent*, and showed American colors. While the *Trent* was approaching her slowly, the American vessel discharged a shell across the bows of the *Trent*, exploding half a cable's length ahead of her. The *Trent* then stopped, and an officer with a large armed guard of marines boarded her. The officer demanded a list of the passengers; and compliance with this demand being refused, the officer said he had orders to arrest Messrs. Mason, Slidell, MacFarland and Eustis, and that he had sure information of their being passengers in the *Trent*. While some parley was going on upon this matter, Mr. Slidell stepped forward and told the American officer that the four persons he had named were then standing before him. The

commander of the *Trent* and Commander Williams protested against the act of taking by force out of the *Trent* these four passengers, then under the protection of the British flag. But the *San Jacinto* was at that time only two hundred yards from the *Trent*, her ship's company at quarters, her ports open and tompions out. Resistance was therefore out of the question, and the four gentlemen before named were forcibly taken out of the ship. A further demand was made that the commander of the *Trent* should proceed on board the *San Jacinto*, but he said he would not go unless forcibly compelled likewise, and this demand was not insisted upon.

"It thus appears that certain individuals have been forcibly taken from on board a British vessel, the ship of a neutral Power, while such vessel was pursuing a lawful and innocent voyage—an act of violence which was an affront to the British flag and a violation of international law.

"Her Majesty's Government, bearing in mind the friendly relations which have long subsisted between Great Britain and the United States, are willing to believe that the United States naval officer who committed this aggression was not acting in compliance with any authority from his Government, or that, if he conceived himself to be so authorized, he greatly misunderstood the instructions which he had received. For the Government of the United States must be fully aware that the British Government could not allow such an affront to the national honor to pass without full reparation, and her Majesty's Government are unwilling to believe that it could be the deliberate intention of the Government of the United States unnecessarily to force into discussion between the two Governments a question of so grave a character, and with regard to which the whole British nation would be sure to entertain such unanimity of feeling. Her Majesty's Government, therefore, trust that when this matter shall have been brought under the consideration of the Government of the United States, that Government will, of its own accord, offer to the British Government such redress as alone could satisfy the British nation, namely :

"The liberation of the four gentlemen and their delivery to your lordship, in order that they may again be placed under British protection, and a suitable apology for the aggression which has been committed.

"Should these terms not be offered by Mr. Seward, you will propose them to him. You are at liberty to read this dispatch to the Secretary of State, and if he desire it you will give him a copy of it.

"I am, &c.,

RUSSELL."



This note was submitted to Mr. Seward in the interview of the 21st. It was submitted to the Senate in his special message of the 22d. The reply was prepared by Mr. Seward after the executive session of that date. It was completed and considered in the Cabinet, Dec. 26th, and on that day remitted to Lord Lyons. It read:

" DEPARTMENT OF STATE, ( )  
" WASHINGTON, Dec. 26th, 1861. "

" THE RIGHT HON. LORD LYONS, &c. :

Mr Seward's Reply to the Demand. " *My Lord* : Earl Russell's dispatch of November 30th, a copy of which you have left with me, at my request, is of the following effect, namely :

" That a letter of Commander Williams, dated Royal Mail Contract packet-boat *Trent*, at sea, November 9th, states that that vessel left Havana on the 7th of November, with her Majesty's mails for England, having on board numerous passengers. Shortly after noon on the 8th of November, the United States war steamer *San Jacinto*, Captain Wilkes, not showing colors, was observed ahead. That steamer, on being neared by the *Trent*, at a quarter past one o'clock in the afternoon, fired a round shot from a pivot gun across her bows, and showed American colors. While the *Trent* was approaching slowly towards the *San Jacinto*, she discharged a shell across the *Trent's* bows, which exploded at half a cable's length before her. The *Trent* then stopped, and an officer, with a large armed guard of marines, boarded her. The officer said he had orders to arrest Messrs. Mason, Slidell, MacFarland and Eustis, and had sure information that they were passengers in the *Trent*. While some parley was going on upon this matter, Mr. Slidell stepped forward and said to the American officer that the four persons he had named were standing before him. The commander of the *Trent* and Commander Williams protested against the act of taking those four passengers out of the *Trent*, they then being under the protection of the British flag. But the *San Jacinto* was at this time only two hundred yards distant, her ship's company at quarters, her ports open, and tompions out, and so resistance was out of the question. The four persons before named were then forcibly taken out of the ship. A further demand was made that the commander of the *Trent* should proceed on board the *San Jacinto*; but he said he would not go unless forcibly compelled likewise, and this demand was not insisted upon. Upon this statement Earl Russell remarks that it thus appears that certain individuals have been forcibly taken from on board a British vessel, the ship of a neutral power, while that vessel was pursuing a

lawful and innocent voyage—  
an act of violence which was  
an affront to the British flag,  
and a violation of international law.

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" Earl Russell next says that her Majesty's Government, bearing in mind the friendly relations which have long subsisted between Great Britain and the United States, are willing to believe that the naval officer who committed this aggression was not acting in compliance with any authority from his Government, or that, if he conceived himself to be authorized, he greatly misunderstood the instructions which he had received.

" Earl Russell argues that the United States must be fully aware that the British Government could not allow such an affront to the national honor to pass without full reparation, and they are willing to believe that it could not be the deliberate intention of the Government of the United States unnecessarily to force into discussion between the two Governments a question of so grave a character, and with regard to which the whole British nation would be sure to entertain such unanimity of feeling.

" Earl Russell, resting upon the statement and the argument which I have thus recited, closes with saying that her Majesty's Government trust that when this matter shall have been brought under the consideration of the Government of the United States, it will, of its own accord, offer to the British Government such redress as alone could satisfy the British nation, namely: The liberation of the four prisoners taken from the *Trent*, and their delivery to your lordship, in order that they may again be placed under British protection, and a suitable apology for the aggression which has been committed. Earl Russell finally instructs you to propose those terms to me, if I should not first offer them on the part of the Government.

" This dispatch has been submitted to the President.

" The British Government has rightly conjectured what it is now my duty to state, that Captain Wilkes, in conceiving and executing the proceeding in question, acted upon his own suggestions of duty, without any direction or instruction, or even foreknowledge of it, on the part of this Government. No directions had been given to him or any other naval officer to arrest the four persons named, or any of them, on the *Trent*, or on any other British vessel, or on any other neutral vessel, at the place where it occurred or elsewhere.

" The British Government will justly infer from these facts that the United States not only have had no purpose, but even no thought, of forcing into discussion the question which has arisen, or any other which could affect in any way the sensibilities of the British nation.



Mr. Seward's Reply to  
the Demand.

"It is true that a round shot was fired by the *San Jacinto* from her pivot gun, when the *Trent*

was distantly approaching. But, as the facts have been reported to this Government, the shot was nevertheless intentionally fired in a direction so obviously divergent from the course of the *Trent* as to be quite as harmless as a blank shot, while it should be regarded as a signal. So, also, we learn that the *Trent* was not approaching the *San Jacinto* slowly when the shell was fired across her bows; but, on the contrary, the *Trent* was, or seemed to be, moving under a full head of steam, as if with a purpose to pass the *San Jacinto*.

"We are informed also, that the boarding officer (Lieutenant Fairfax) did not board the *Trent* with a large armed guard, but he left his marines in the boat when he entered the *Trent*. He stated his instructions from Captain Wilkes, to search for the four persons named, in a respectful and courteous though decided manner, and he asked the captain of the *Trent* to show his passenger list, which was refused. The Lieutenant, as we are informed, did not employ absolute force in transferring the passengers, but he used just so much as was necessary to satisfy the parties concerned that refusal or resistance would be unavailing.

"So, also, we are informed that the captain of the *Trent* was not at any time, nor in any way, required to go on board the *San Jacinto*.

"These modifications of the case, as presented by Commander Williams, are based upon our official reports.

"I have now to remind your lordship of some facts which, doubtless, were omitted by Earl Russell, with the very proper and becoming motive of allowing them to be brought into the case on the part of the United States, in the way most satisfactory to this Government. These facts are, that at the time the transaction occurred, an insurrection was existing in the United States, which this Government was engaged in suppressing by the employment of land and naval forces; that, in regard to this domestic strife, the United States considered Great Britain as a friendly power, while she had assumed for herself the attitude of a neutral; and that Spain was considered in the same light, and had assumed the same attitude as Great Britain.

"It had been settled by correspondence that the United States and Great Britain mutually recognized as applicable to its local strife these two articles of the declaration made by the Congress of Paris in 1856—namely, that the neutral or friendly flag should cover enemy's goods, not contraband of war, and that neutral goods, not contraband of war, are not liable to capture under an enemy's flag. These ex-

ceptions of contraband from favor were a negative acceptance by the parties of the rule hitherto everywhere recognized as a part of the law of nations, that whatever is contraband is liable to capture and confiscation in all cases.

"James M. Mason and E. J. MacFarland are citizens of the United States and residents of Virginia.

"John Slidell and George Eustis are citizens of the United States and residents of Louisiana.

"It is well known at Havana, where the parties embarked in the *Trent*, that James M. Mason was proceeding to England in the affected character of a Minister Plenipotentiary to the Court of St. James, under a pretended commission from Jefferson Davis, who had assumed to be President of the insurrectionary party in the United States, and E. J. MacFarland was going with him in a like unreal character of Secretary of Legation to the pretended mission.

"John Slidell, in similar circumstances, was going to Paris as a pretended Minister to the Emperor of the French, and George Eustis was the chosen Secretary of Legation for that simulated mission.

"The fact that these persons had assumed such characters has been since avowed by the same Jefferson Davis in a pretended message to an unlawful and insurrectionary Congress. It was, as we think, rightly presumed that these ministers bore pretended credentials and instructions, and such papers are in the law known as dispatches. We are informed by our Consul at Paris that these dispatches, having escaped the search of the *Trent*, were actually conveyed and delivered to emissaries of the insurrection in England.

"Although it is not essential, yet it is proper to state, as I do also upon information and belief, that the owner and agent, and all the officers of the *Trent*, including the Commander Williams, had knowledge of the assumed characters and purposes of the persons beforenamed when they embarked on that vessel.

"Your lordship will now perceive that the case before us, instead of presenting a merely flagrant act of violence on the part of Captain Wilkes, as might well be inferred from the incomplete statement of it that went up to the British Government, was undertaken as a simple, legal and customary belligerent proceeding by Captain Wilkes, to arrest and capture a neutral vessel engaged in carrying contraband of war for the use and benefit of the insurgents.

"The question before us is, whether this proceeding was authorized by, and conducted according to, the law of nations.

"It involves the following inquiries:

Mr. Seward's Reply to  
the Demand.



Mr. Seward's Reply to  
the Demand.

" 1. Were the persons named and their supposed dispatches contraband of war?

" 2. Might Captain Wilkes lawfully stop and search the *Trent* for these contraband persons and dispatches?

" 3. Did he exercise that right in a lawful and proper manner?

" 4. Having found the contraband persons on board, and in presumed possession of the contraband dispatches, had he a right to capture the persons?

" 5. Did he exercise that right of capture in the manner allowed and recognized by the law of nations?

" If all these inquiries shall be resolved in the affirmative, the British Government will have no claim for reparation.

" I address myself to the first inquiry, namely:

" Were the four persons mentioned and their dispatches contraband?

" Maritime law so generally deals, as its professors say, *in rem*, that is, with property, and so seldom with persons, that it seems a straining of the term contraband to apply it to them. But persons as well as property may become contraband, since the word means, broadly, 'contrary to proclamation, prohibited, illegal, unlawful.' All writers and judges pronounce naval or military persons in the service of the enemy, contrabands. Vattel says: 'War allows us to cut off from the enemy all his resources and to hinder him from sending ministers to solicit assistance.' And Sir William Scott says: 'You may stop the ambassador of your enemy on his passage. Dispatches are not less clearly contraband, and the bearers or couriers who undertake to carry them, fall under the same condemnation.'

" A subtlety might be raised whether pretended ministers of a usurping Power, not recognized as legal by either the belligerent or the neutral, could be held to be contraband. But it would disappear on being subjected to what is the true test in all cases—namely: the spirit of the law. Sir William Scott, speaking of the civil magistrates who were arrested and detained as contraband, says: 'It appears to me on principle to be but reasonable that when it is of sufficient importance to the enemy that such persons should be sent out on the public service, at the public expense, it should afford equal ground of forfeiture against the vessel that may be let out for a purpose so intimately connected with the hostile operations.'

" I trust that I have shown that the four persons who were then taken from the *Trent* by Captain Wilkes, and their dispatches, were contraband of war.

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the Demand.

" The second inquiry is, whether Captain Wilkes had a right, by the law of nations, to detain and search the *Trent*.

" The *Trent*, though she carried mails, was a contract or merchant vessel, a common carrier for hire. Maritime law knows only three classes of vessels—vessels of war, revenue vessels and merchant vessels. The *Trent* falls within the latter class. Whatever disputes have existed concerning a right of visitation or search in time of peace, none, it is supposed, has existed in modern times about the right of a belligerent, in time of war, to capture contraband in neutral and even friendly merchant vessels, and of the right of visitation and search, in order to determine whether they are neutral and are documented as such according to the law of nations. I assume in the present case what, as I read British authorities, is regarded by Great Britain herself as true maritime law—that the circumstances that the *Trent* was proceeding from one neutral port to another neutral port, does not modify the right of the belligerent captor.

" The third question is, whether Captain Wilkes exercised the right of search in a lawful and proper manner? If any doubt hung over this point, as the case was presented in the statement of it adopted by the British Government, I think it must have already passed away before the modifications of that statement which I have already submitted.

" I proceed to the fourth inquiry—namely, having found the suspected contraband of war on the *Trent*, had Captain Wilkes a right to capture the same? Such a capture is the chief, if not the only recognized object of the permitted visitation and search. The principle of the law is that the belligerent exposed to danger may prevent the contraband persons or things from applying themselves, or being applied to the hostile uses or purposes designed. The law is so very liberal in this respect, that when contraband is found on board a neutral vessel, not only is the contraband forfeited, but the vessel which is the vehicle of its passage or transportation, being tainted, also becomes contraband, and is subjected to capture and confiscation.

" Only the fifth question remains—namely, did Captain Wilkes exercise the right of capturing the contraband in conformity with the law of nations? It is just here that the difficulties of the case begin: What is the manner which the law of nations prescribes for disposing of the contraband when you have found and seized it on board of the neutral vessel?

" The answer would be easily found if the question were, what you should do with the contraband vessel? You must take or send her into a convenient



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the Demand.

port and subject her to a judicial prosecution there in admiralty, which will try and decide

the questions of belligerency, neutrality, contraband and capture. So, again, you will promptly find the same answer if the question were, what is the manner of proceeding prescribed by the law of nations in regard to the contraband, if it be property or things of material or pecuniary value?

"But the question here concerns the mode of procedure in regard, not to the vessel that was carrying the contraband things which worked the forfeiture of the vessel, but to contraband persons.

"The books of law are dumb. Yet the question is as important as it is difficult. First, the belligerent captor has a right to prevent the contraband officer, soldier, sailor, minister, messenger or courier from proceeding in his unlawful voyage, and reaching the destined scene of his injurious service. But, on the other hand, the person captured may be innocent; that is, he may not be contraband. He therefore has a right to a fair trial of the accusation against him. The neutral State that has taken him under its flag is bound to protect him if he is not contraband, and is therefore entitled to be satisfied upon that important question. The faith of that State is pledged to his safety if innocent, as its justice is pledged to his surrender if he is really contraband. Here are conflicting claims, involving personal liberty, life, honor and duty. Here are conflicting national claims, involving welfare, safety, honor and empire. They require a tribunal and a trial. The captors and the captured are equals, the neutral and the belligerent State are equals.

"While the law authorities were found silent, it was suggested at an early day by this Government, that you should take the captured persons into a convenient port, and institute judicial proceedings there to try the controversy. But only courts of admiralty have jurisdiction in maritime cases, and these courts have formulas to try only claims to contraband chattels, but none to try claims concerning contraband persons. The courts can entertain no proceedings and render no judgment in favor of or against the alleged contraband men.

"It was replied, all this is true; but you can reach in those courts a decision which will have the moral weight of a judicial one; by a circuitous proceeding convey the suspected men, together with the suspected vessel, into port, and try there the question whether the vessel is contraband. You can prove it to be so by proving the suspected men to be contraband, and the court must then determine the vessel to be contraband.

"If the men are not contraband, the vessel will escape condemnation. Still there is no judgment

for or against the captured persons. But it was assumed that there would result from the de-

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termination of the court concerning the vessel a legal certainty concerning the character of the men. This course of proceeding seemed open to many objections. It elevates the incidental interior private interest into the proper place of the main paramount public one, and possibly it may make the fortunes, the safety, or the existence of a nation depend on the accidents of a merely personal and pecuniary litigation. Moreover, when the judgment of the prize-court upon the lawfulness of the capture of the vessel is rendered, it really concludes nothing and binds neither the belligerent State nor the neutral upon the great question of the disposition to be made of the captured contraband persons. That question is still to be really determined, if at all, by diplomatic arrangement or by war. One may well express his surprise when told that the law of nations has furnished no more reasonable, practical and perfect mode than this of determining questions of such grave import between sovereign powers. The regret we may feel on the occasion is, nevertheless, modified by the reflection that the difficulty is not altogether anomalous. Similar and equal deficiencies are found in every system of municipal law, especially in the system which exists in the greater portions of Great Britain and the United States. The title to personal property can hardly ever be resolved by a court without resorting to the fiction that the claimant has lost and the possessor has found it; and the title to real estate is disputed by real litigants under the names of imaginary persons. It must be confessed, however, that, while all aggrieved nations demand, and all impartial ones concede, the need of some form of judicial process in determining the characters of contraband persons, no other form than the illogical and circuitous one thus described exists, nor has any other yet been suggested. Practically, therefore, the choice is between that judicial remedy or no judicial remedy whatever.

"If there be no judicial remedy, the result is that the question must be determined by the captor himself on the deck of the prize vessel. Very grave objections arise against such a course. The captor is armed—the neutral is unarmed. The captor is interested, prejudiced, and perhaps violent—the neutral, if truly neutral, is disinterested, subdued and helpless. The tribunal is irresponsible, while its judgment is carried into instant execution. The captured party is compelled to submit, though bound by no legal, moral or treaty obligation to acquiesce. Reparation is distant and problematical, and depends at last on the justice, magnanimity or



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weakness of the State in whose behalf, and by whose authority the capture was made. Out of these disputes reprisals and wars necessarily arise, and these are so frequent and destructive that it may well be doubted whether this form of remedy is not a greater social evil than all that could follow if the belligerent right of search were universally renounced and abolished forever. But carry the case one step farther: What, if the State that has made the capture unreasonably refuse to hear the complaint of the neutral, or to redress it? In that case the very act of capture would be an act of war—of war begun without notice—and possibly entirely without provocation.

"I think all unprejudiced minds will agree that imperfect as the existing judicial remedy may be supposed to be, it would be, as a general practice, better to follow it than to adopt the summary one of leaving the decision with the captor, and relying upon diplomatic debates to review his decision. Practically it is a question of law, with its imperfections and delays and war, with its evils and desolations.

"Nor is it ever to be forgotten that neutrality, honestly and justly preserved, is always the harbinger of peace, and therefore is the common interest of nations, which is only saying that it is the interest of humanity itself.

"At the same time it is not to be denied that it may sometimes happen that the judicial remedy will become impossible—as by the shipwreck of the prize vessel, or other circumstances which excuse the captor from sending or taking her into port for confiscation. In such a case, the right of the captor to the custody of the captured persons, and to dispose of them, if they are really contraband, so as to defeat their unlawful purposes, cannot reasonably be denied.

"What rule shall be applied in such a case? Clearly the captor ought to be required to show that the failure of the judicial remedy results from circumstances beyond his control and without his fault. Otherwise he would be allowed to derive advantage from a wrongful act of his own.

"In the present case Captain Wilkes, after capturing the contraband persons and making prize of the *Trent*, in what seems to us a perfectly lawful manner, instead of sending her into port, released her from the capture, and permitted her to proceed, with her whole cargo, upon her voyage. He then effectually prevented the judicial examination which might otherwise have occurred. If now the capture of the contraband persons, and the capture of the contraband vessel, are to be regarded, not as two separable or distinct transactions under the law of

nations, but as one transaction—one capture only—then it follows that the capture in

this case was left unfinished or was abandoned. Whether the United States have a right to retain the chief public benefits of it—namely, the custody of the captured persons—on proving them to be contraband, will depend upon the preliminary question whether the leaving of the transaction unfinished was necessary, or whether it was unnecessary, and therefore voluntary. If it was necessary, Great Britain, as we suppose, must of course waive the defect, and the consequent failure of the judicial remedy. On the other hand, it is not seen how the United States can insist upon her waiver of that judicial remedy, if the defect of the capture resulted from an act of Captain Wilkes, which would be a fault on their own side.

"Captain Wilkes has presented to this Government his reasons for releasing the *Trent*.

"'I forbore to seize her,' he says, 'in consequence of my being so reduced in officers and crew, and the derangement it would cause innocent persons, there being a large number of passengers who would have been put to a great loss and inconvenience as well as disappointment, from the interruption it would have caused them in not being able to join the steamer from St. Thomas to Europe. I therefore concluded to sacrifice the interests of my officers and crew in the prize, and suffered her to proceed after the detention necessary to effect the transfer of those commissioners, considering I had obtained the important end I had in view, and which affected the interests of our country and interrupted the action of that of the Confederates.'

"I shall consider, first, how these reasons ought to affect the action of this Government; and, secondly, how they ought to be expected to affect the action of Great Britain. The reasons are satisfactory to this Government, so far as Captain Wilkes is concerned. It could not desire that the *San Jacinto*, her officers and crew, should be exposed to danger and loss by weakening their number to detach a prize crew to go on board the *Trent*. Still less could it disavow the humane motive of preventing inconveniences, losses, and perhaps disasters, to the several hundred innocent passengers found on board the prize vessel.

"Nor could this Government perceive any ground for questioning the fact that these reasons, though apparently incongruous, did operate in the mind of Captain Wilkes, and determined him to release the *Trent*. Human actions generally proceed upon mingled and sometimes conflicting motives. We measured the sacrifices which this decision would cost. It manifestly, however, did not occur to him

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that, beyond the sacrifice of the private interests (as he calls them) of his officers and crew,

there might also possibly be a sacrifice even of the chief and public object of his capture—namely, the right of his Government to the custody and disposition of the captured persons. This Government cannot censure him for the oversight. It confesses that the whole subject came unforeseen upon this Government, as doubtless it did upon him. Its present convictions on the point in question are the result of deliberate examination and deduction now made, and not of any impressions previously formed.

“Nevertheless, the question now is not whether Captain Wilkes is justified to his Government in what he did, but what is the present view of the Government as to the effect of what he has done. Assuming now, for argument's sake only, that the release of the *Trent*, if voluntary, involved a waiver of the claim of the Government to hold the captured persons, the United States could, in that case, have no hesitation in saying that the act which has thus already been approved by the Government must be allowed to draw its legal consequence after it,

“It is of the very nature of a gift, or a charity, that the giver cannot, after the exercise of his benevolence is past recall or modify its benefits.

“We are thus brought directly to the question, whether we are entitled to regard the release of the *Trent* as involuntary, or whether we are obliged to consider that it was voluntary. Clearly, the release would have been involuntary had it been made solely upon the first ground assigned for it by Captain Wilkes—namely, a want of a sufficient force to send the prize vessel into port for adjudication. It is not the duty of a captor to hazard his own vessel in order to secure a judicial examination to the captured party. No large prize crew, however, is legally necessary; for it is the duty of the captured party to acquiesce and go willingly before a tribunal to whose jurisdiction it appeals. If the captured party indicate purposes to employ means of resistance which the captor cannot with probable safety to himself, overcome, he may properly leave the vessel to go forward, and neither she nor the State she represents can ever afterwards justly object that the captor deprived her of the judicial remedy to which she was entitled.

“But the second reason assigned by Captain Wilkes for releasing the *Trent* differs from the first. At best, therefore, it must be held that Captain Wilkes, as he explains himself, acted from combined sentiments of prudence and generosity, and so that the release of the prize vessel was not strictly necessary or involuntary.

“Secondly—How ought we to expect those expla-

nations by Captain Wilkes of his reasons for leaving the capture incomplete to affect the action

of the British Government? The observation upon the point which occurs is, that Captain Wilkes' explanations were not made to the authorities of the captured vessel. If made known to them they might have approved and taken the release upon the condition of waiving a judicial investigation of the whole transaction, or they might have refused to accept the release upon that condition.

“But the case is not one with them, but with the British Government. If we claim that Great Britain ought not to insist that a judicial trial has been lost because we voluntarily released the offending vessel, out of consideration for her innocent passengers, I do not see how she is to be bound to acquiesce in the decision which was thus made by us without necessity on our part and without knowledge of conditions or consent on her own. The question between Great Britain and ourselves, thus stated, would be a question not of right and of law, but of favor to be conceded by her to us in return for favors shown by us to her, of the value of which favors on both sides, we ourselves shall be the judge. Of course, the United States could have no thought of raising such a question in any case.

“I trust that I have shown to the satisfaction of the British Government, by a very simple and natural statement of the facts and analysis of the law applicable to them, that this Government has neither meditated nor practised, nor approved any deliberate wrong in the transaction to which they have called its attention, and, on the contrary, that what has happened has been simply an inadvertency, consisting in a departure by the naval officer—free from any wrongful motive—from a rule uncertainly established, and, probably, by the several parties concerned, either imperfectly understood or entirely unknown. For this error the British Government has a right to expect the same reparation that we, as an independent State, should expect from Great Britain, or from any other friendly nation, in a similar case.

“I have not been unaware that in examining this question I have fallen into an argument for what seems to be the British side against my own country. But I am relieved from all embarrassment on that subject. I had hardly fallen into that line of argument when I discovered that I was really defending and maintaining, not an exclusively British interest, but an old, honored and cherished American cause, not upon British authorities, but upon principles that constitute a large portion of the distinctive policy by which the United States have developed the resources of a continent, and, thus be-

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coming a considerable maritime  
power have won the respect and  
confidence of many nations.

These principles were laid down for us in 1804 by Mr. Madison, when Secretary of State, in the administration of Thomas Jefferson, in instructions given to James Monroe, our Minister to England. Although the case before him concerned a description of persons different from those who are incidentally the subjects of the present discussion, the ground he assumed then was the same I now occupy, and the arguments by which he sustained himself upon it have been an inspiration to me in preparing this reply.

" 'Whenever,' he says, 'property found in a neutral vessel is supposed to be liable on any ground to capture and condemnation, the rule in all cases is that the question shall not be decided by the captor, but be carried before a legal tribunal, where a regular trial may be had, and where the captor himself is liable to damages for an abuse of his power. Can it be reasonable, then, or just, that a belligerent commander who is thus restricted and thus responsible in a case of mere property, of trivial amount, should be permitted, without recurring to any tribunal whatever, to examine the crew of a neutral vessel, to decide the important question of their respective allegiances, and to carry that decision into execution by forcing every individual he may choose into a service abhorrent to his feelings, cutting him off from his most tender connections, exposing his mind and his person to the most humiliating discipline, and his life itself to the greatest danger? Reason, justice and humanity unite in protesting against so extravagant a proceeding.'

" If I declare this case in favor of my own Government, I must disavow its most cherished principles, and reverse and forever abandon its essential policy. The country cannot afford the sacrifice. If I maintain these principles and adhere to that policy, I must surrender the case itself. It will be seen, therefore, that this Government could not deny the justice of the claim presented to us in this respect upon its merits. We are asked to do to the British nation just what we have always insisted all nations ought to do to us.

" The claim of the British Government is not made in a discourteous manner. This Government, since its first organization, has never used more guarded language in a similar case.

" In coming to my conclusions I have not forgotten that if the safety of this Union required the detention of the captured persons it would be the right and duty of this Government to detain them. But the effectual check and waning proportions of the existing insurrection, as well as the compara-

tive unimportance of the cap-  
tured persons themselves,  
when dispassionately weighed,

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happily forbid me from resorting to that defense.

" Nor am I unaware that American citizens are not in any case to be unnecessarily surrendered for any purpose into the keeping of a foreign State. Only the captured persons, however, or others who are interested in them, could justly raise a question on that ground.

" Nor have I been tempted at all by suggestions that cases might be found in history where Great Britain refused to yield to other nations; and even to ourselves, claims like that which is now before us. These cases occurred when Great Britain, as well as the United States, was the home of generations which, with all their peculiar interests and passions, have passed away. She could in no other way so effectually disavow any such injury as we think she does by assuming now as her own the ground upon which we then stood. It would tell little for our own claims to the character of a just and magnanimous people if we should so far consent to be guided by the law of retaliation as to lift up buried injuries from their grave to oppose against what national consistency and the national conscience compel us to regard as a claim intrinsically right.

" Putting behind me all suggestions of this kind, I prefer to express my satisfaction that, by the adjustment of the present case, upon principles confessedly American, and yet, as I trust, mutually satisfactory to both of the nations concerned, a question is finally and rightly settled between them which heretofore exhausting, not only all forms of peaceful discussion, but also the arbitrament of war itself, for more than half a century alienated the two countries from each other, and perplexed with fears and apprehensions all other nations.

" The four persons in question who are now held in military custody are at Fort Warren, in the State of Massachusetts. *They will cheerfully be liberated. Your lordship will please indicate a time and place for receiving them.*

" I avail myself of the occasion to offer to your lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD."

We should add, to render the record complete, the correspondence with the French Minister, as indicative of the views and position of Napoleon's Government in the affair. The dispatch of the French Minister of State to M. Mercier read:

" ADMINISTRATION OF FOREIGN AFFAIRS, }  
POLITICAL DEPARTMENT, Paris, Dec. 3, 1861. }

" Sir: The arrest of Messieurs Mason and Slidell,



The French View. on board the English packet *Trent*, by an American cruiser, has produced in France, if not the same emotion as in England, at least extreme astonishment and sensation. Public sentiment was at once engrossed with the lawfulness and the consequence of such an act, and the impression which has resulted from this has not been for an instant doubtful.

"The fact has appeared so much out of accordance with the ordinary rules of international law that it has chosen to throw the responsibility for it exclusively on the commander of the *San Jacinto*.

"It is not yet given to us to know whether this supposition is well founded, and the Government of the Emperor has therefore also had to examine the question raised by the taking away of the two passengers from the *Trent*. The desire to contribute to prevent a conflict, perhaps imminent, between two Powers for which it is animated by sentiments equally friendly, and the duty to uphold, for the purpose of placing the rights of its own flag under shelter from any attack, certain principles essential to the security of neutrals, have, after mature reflection, convinced it that it could not, under the circumstances, remain entirely silent.

"If, to our deep regret, the Cabinet of Washington were disposed to approve the conduct of the commander of the *San Jacinto*, it would be either by considering Messrs. Mason and Slidell as enemies or as seeing in them nothing but rebels. In the one, as in the other case, there would be a forgetfulness extremely annoying of principles upon which we have always found the United States in agreement with us.

"By what title, in effect, would the American cruiser, in the first case, have arrested Messrs. Mason and Slidell? The United States have admitted, with us, in the treaties concluded between the two countries, that the freedom of the flag extends itself over the persons found on board should they be enemies of one of the two parties, unless the question is of military people actually in the service of the enemy. Messrs. Mason and Slidell were, therefore, by virtue of this principle, which we have never found any difficulty in causing to be inserted in our treaties of friendship and commerce, perfectly at liberty under the neutral flag of England. Doubtless it will not be pretended that they could be considered as contraband of war. That which constitutes contraband of war is not yet, it is true, exactly settled; the limitations are not exactly the same for all the Powers; but, in what relates to persons, the special stipulations which are found in the treaties concerning military people define plainly the character of those who only can be seized upon as belligerents; but there is no need to demonstrate

that Messrs. Mason and Slidell could not be assimilated to persons in that category.

The French View

"There remains, therefore, to invoke, in explanations of their capture, only the pretext that they were the bearers of official dispatches from the enemy. But this is the moment to recall a circumstance which governs all this affair, and which renders the conduct of the American cruiser unjustifiable. The *Trent* was not destined to a point belonging to one of the belligerents; she was carrying to a neutral country her cargo and her passengers; and, moreover, it was in a neutral port that they were taken.

"If it were admissible that, under such conditions, the neutral flag does not completely cover the persons and merchandise it carries, its immunity would be nothing more than idle words. At any moment the commerce and navigation of third Powers would have to suffer from their innocent and even their indirect relations with the one or the other of the belligerents. These last would no longer find themselves as having only the right to exact from the neutral entire partiality, and to interdict all intermeddling on his part in acts of hostility; they would impose on his freedom of commerce and navigation restrictions which modern international law has refused to admit as legitimate, and we should, in a word, fall back upon vexatious practices, against which, in other epochs, no Power has more earnestly protested than the United States.

"If the Cabinet of Washington would only look on the two persons arrested as rebels, whom it is always lawful to seize, the question, to place it on other ground, could not be solved, however, in a sense in favor of the commander of the *San Jacinto*. There would be, in such case, misapprehension of the principle which makes a vessel a portion of the territory of the nation whose flag it bears, and violation of that immunity which prohibits a foreign sovereign, by consequence, from the exercise of his jurisdiction. It certainly is not necessary to recall to mind with what energy, under every circumstance, the Government of the United States has maintained this immunity, and the right of asylum which is the consequence of it.

"Not wishing to enter upon a more deep discussion of the questions raised by the capture of Messrs. Mason and Slidell, I have said enough, I think, to settle the point that the Cabinet at Washington could not, without striking a blow at the principles which all neutral nations are alike interested in holding in respect, nor without taking the attitude of contradiction of its own course up to this time, give its approbation to the proceedings of the commander of the *San Jacinto*. In this state of things,



it evidently should not, according to our views, hesitate about the determination to be taken.

" Lord Lyons is already instructed to present the demand for satisfaction, which the English Cabinet is under the necessity of reducing to form, and which consists in the immediate release of the persons taken from on board the *Trent*, and in sending explanations which may take from this act its offensive character toward the British flag. The Federal Government will be inspired by a just and exalted feeling in deferring to these requests. One would search in vain to what end, for what interest, it would hazard to provoke by a different attitude a rupture with Great Britain.

The French view. " For ourselves, we should see in that fact a deplorable complication, in every respect, of the difficulties with which the Cabinet at Washington has already to struggle, and a precedent of a nature seriously to disquiet all the powers which continue outside of the existing contest. We believe that we give evidence of loyal friendship for the Cabinet of Washington by not permitting it to remain in ignorance, in this condition of things, of our manner of regarding it. I request you, therefore, sir, to seize the first occasion of opening yourself frankly to Mr. Seward, and, if he asks it, send him a copy of this dispatch.

" Receive sir, the assurances of my high consideration.

THOUVENEL.

" Monsieur HENRI MERCIER, Minister of the Emperor at Washington."

Mr. Seward's reply was in excellent tone, seizing that opportunity as the good occasion whereby to make a forcible and pertinent request :

" DEPARTMENT OF STATE, U.

" WASHINGTON, Dec. 27th, 1861. "

" M. HENRI MERCIER, &C. &C. :

Seward's Answer. " Sir: I have submitted to the President the copy you were so good as to give me of the dispatch addressed to you on the 3d of December instant, concerning the recent proceedings of Captain Wilkes in arresting certain persons on board of the British contract mail steamer *Trent*.

" Before receiving the paper, however, the President had decided upon the disposition to be made of the subject, which has caused so much anxiety in Europe. That disposition of the subject, as I think, renders unnecessary any discussion of it in reply to the comments of M. Thouvenel. I am permitted, however, to say that M. Thouvenel has not been in error in supposing—first, that the Government of the United States has not acted in any spirit of disregard of the rights or of the sensibilities of

the British nation, and that he is equally just in assuming that

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the United States would consistently vindicate, by their practice on this occasion, the character they have so long maintained as an advocate of the most liberal principles concerning the rights of neutral States in maritime war.

" When the French Government shall come to see at large the views of this Government and those of the Government of Great Britain on the subject now in question, and to compare them with the views expressed by M. Thouvenel on the part of France, it will probably perceive that, while it must be admitted that these three powers are equally impressed with the same desire for the establishment of principles favorable to neutral rights, there is, at the same time, not such an entire agreement concerning the application of those principles as is desirable to secure that important object.

" The Government of the United States will be happy if the occasion which has elicited this correspondence can be improved so as to secure a more definite agreement upon the whole subject all by maritime powers.

" You will assure M. Thouvenel that this Government appreciates as well the frankness of his explanations as the spirit of friendship and good will towards the United States, in which they are expressed.

" It is a sincere pleasure for the United States to exchange assurances of a friendship which had its origin in associations the most sacred in the history of both countries.

" I avail myself of this opportunity to renew to you, sir, the assurance of my high consideration.

" WILLIAM H. SEWARD."

Lord Lyons did not await the remission to his Government of Mr. Seward's reply in order to accept the terms conceded. The Confederate ambassadors were released Jan. 1st, passing out of the fort in a quiet manner to a tugboat in waiting. The tug conveyed them to Provincetown, where they were transferred to the British war steamer *Rinaldo*, which sailed, the same evening, for England.

Thus ended an affair that gave promise of one of the most serious wars of modern times. That this country came out of the difficulty with honor, even its enemies confessed. The settlement was a staggering blow to those friends of the Southern Confederacy abroad who saw, in the impending collision, the surest way to Southern independence. It signally defeated the combinations and ma-

The Good Result.



inations of the secessionists abroad whose sharpest weapons were falsehoods and misrepresentations. It materially qualified the effect of Jefferson Davis' message of November 18th, [see pages — —,] especially directed to the end of obtaining foreign sympathy. To the great majority of English journals which had fairly reeked with invective and defamation toward the United States Government, as a people and a power, it was a

rebuke which must have been humiliating, were it possible for such an emotion to affect the hearts of men influenced by the ideas which appeared to prevail in the "influential circles" of British society during the fall of the year 1861.

The ambassadors arrived in London in the latter part of January, 1862, to enter upon the 'career of usefulness' prescribed by the Confederate President.

## CHAPTER III.

AFFAIRS IN MISSOURI DURING HUNTER'S COMMAND. BATTLE OF BELMONT. CONFEDERATE CONGRATULATIONS. SAD EFFECT OF THE RETREAT FROM SPRINGFIELD. THE MISSOURI MILITIA IN SERVICE. NEW MILITARY DEPARTMENTS. CONCENTRATION OF FEDERAL FORCES. HUNTER'S REPUDIATION OF THE FREMONT-PRICE "TREATY." THE "TREATY" AND HUNTER'S REASONS FOR REPUDIATING IT. FREMONT'S ERRORS.

In Chapter IX. Division

Affairs in Missouri.

V. we record the events of

Fremont's rule in Missouri, ending with his suspension from command and the retreat of his army by orders of his successor, General Hunter. We may now resume the narrative, considering events which transpired pending General Halleck's assumption of the chief command in that department.

The operations of General Grant in the District of Southeastern Missouri, during the early part of November, properly belong to a record of the campaign in Missouri, although he acted independently and reported directly to headquarters at Washington.

While Fremont was press-

Battle of Belmont.

ing forward to engage the

forces of Price and McCullough, apprehensions were entertained by General Grant of the Confederate General Polk, commanding at Columbus, Kentucky, pushing reinforcements forward from Belmont and New Madrid, thus to overpower Fremont by the mere strength of numbers. To divert the enemy

from this purpose, and also

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to prevent him from reen-

forcing Jeff Thompson's command, defeated at Fredericksburg—which command Grant hoped to capture or disperse by an expedition under Colonel Ogilvie, then in the field—a movement was ordered upon Belmont, led by General Grant in person, assisted by General McClelland. Wednesday evening, Nov. 6th, the Seventh Iowa, Colonel Lanman, Twenty-seventh Illinois, Colonel Buford, Twenty-ninth, Colonel Fouke, Thirtieth, Colonel Logan, Twenty-second, Colonel Dougherty. Taylor's battery of six pieces and two companies of cavalry, making in all a force of two thousand eight hundred and eighty-six, took steamers at Cairo for passage down the river. The transports, escorted by the gunboats *Tyler* and *Lexington*, lay all night at a point about nine miles below Cairo, and on Thursday morning proceeded to Lucas' bend four miles above Belmont, where the troops debarked and took up their march for the enemy's camp at Belmont. The



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gunboats proceeded down the river to engage the batteries above Columbus. Grant in his report said of his disposition of forces: "Knowing that Columbus was strongly garrisoned, I asked General Smith, commanding at Paducah, Ky., to make demonstrations in the same directions. He did so, by ordering a small force to Mayfield, and another in the direction of Columbus, not to approach nearer, however, than twelve or fifteen miles. I also sent a small force on the Kentucky side, some twelve miles from Columbus. All this served to distract the enemy, and lead him to think he was to be attacked in his strongly fortified position."

The enemy was on the alert. The Federals moved forward to find their antagonists drawn up in a good position, nearly two miles in advance of their entrenched camp on the river, immediately opposite and protected by the Columbus batteries. Grant said:

"At daylight we proceeded down the river to a point just out of range of the rebel guns, and debarked on the Missouri shore. From here the troops were marched by a flank for about one mile towards Belmont, and then drawn up in line, one battalion having been left as a reserve near the transports. Two companies from each regiment, five skeletons in number, were thrown out as skirmishers to ascertain the position of the enemy."

"It was but a few moments before they met him, and a general engagement ensued. The balance of my force, with the exception of the reserve, was then thrown forward, all as skirmishers, and the enemy driven, foot by foot, and from tree to tree back to their encampment on the river's bank, a distance of over two miles. Here they had strengthened their position by felling the timber for several hundred yards around their camp, and making a sort of abattis."

"Our men charged through this, driving the enemy over the river banks and into their transports in quick time, leaving us in possession of everything not exceedingly portable."

This brief mention covers much gallant action. The fight was one of great obstinacy and was only won by the unflinching nerve of the assailants. McClelland, after advert-  
ing to the enemy's attempt to cut his line and his disposition to avert their design, thus characterised the struggle which followed: "We again opened a deadly fire from both

infantry and artillery, and after a desperate resistance

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drove the enemy back the third time, forcing them to seek cover among thick woods and brush, protected by the heavy guns at Columbus. While this struggle was going on a tremendous fire from the Twenty-seventh, which had approached the abattis on the right and rear of the tents, was heard. About the same time the Seventh and Twenty-second, which had passed the rear of the Thirtieth and Thirty-first, hastened up, and, closing the space between them and the Twenty-seventh, poured a deadly fire upon the enemy. A combined movement was now made upon three sides of the enemy's works, and, driving him across the abattis, we followed close upon his heels into the clear space around his camp."

In this fierce contest many brave men were slain. Grant's horse was there killed under him. McClelland's horse was struck several times. Colonel Lanmann fell. Yet, considering the exposure and daring of officers and men, the loss was comparatively small.

But, the victory, though won, was not secure. Bishop Polk, in his special dispatch to Jefferson Davis, said:

"The enemy came down on the opposite side of the river Belmont to-day, about seven thousand five hundred strong, landed under cover of gunboats, and attacked Colonel Tappan's camp. I sent over three regiments, under General Pillow, to his relief, then at intervals three others, then General Cheatham. I then took over two others in person, to support a flank movement which I had directed. It was a hard fought battle, lasting from half-past ten A. M. to five P. M. They took Beltzhoover's battery, four pieces of which we recaptured. The enemy were thoroughly routed. We pursued them to their boats, seven miles, then drove their boats before us. The road was strewn with their dead and wounded, guns, ammunition and equipments. Our loss is considerable—theirs heavy."

The first three Confederate regiments under Pillow participated in the early fight, and were driven back into the timber after attempting to cut McClelland's line. The other reinforcements sent over by Polk, under Cheatham and others, joined Pillow's forces above the camp, with the well conceived purpose of cutting off the Federal retreat to the transports, four miles away. Even



while the Illinois and Iowa "boys" were shouting for Union in the captured camp, the enemy was planting his forces, three to one, in the way of a retreat. Eight full regiments, in addition to such of Tappan's finely armed brigade as could be gathered, were thus thrown into position on the line. Grant was catching unawares. Almost as soon as the camp was captured he fired its property and hindered the retreat. He said :

Belmont is on low ground, and every foot of it commanded by the guns on the opposite shore, and, of course, could not be held for a single hour after the enemy became aware of the withdrawal of their troops. Having no wagons with me I could not take any of the captured property, consequently no orders for its destruction. Their tents, blankets, &c., were set on fire, and we retreated, taking our artillery with us, two pieces being drawn by mules, and one by an inefficient team, were spiked and left in the woods, bringing two to this place. Before getting fairly under way, the enemy met his appearance again and attempted to surround us. Our troops were not in the least discomfited, but charged the enemy and again defeated him."

McClelland, in his report, detailed with much pride the splendid conduct of his men in the retreat. It was a fight in solid column, the artillery opening the way before them. The enemy, easily broken, fought with great regularity. A lack of generalship was shown in their manœuvres. Had they been properly ordered the route to the transports must have been thick with Federal dead.

The official returns gave the following table of Federal loss :

	<i>Killed.</i>	<i>Wounded.</i>	<i>Missing.</i>
First Iowa regiment.....	26	75	119
Twenty-second Illinois regiment...26	70	35	
Twenty-seventh Illinois regiment.10	42	29	
Twelfth Illinois regiment..... 9	28	42	
Twenty-first Illinois regiment.....10	62	10	
Waller's Chicago battery.....—	3	—	
Illinois cavalry..... 1	4	—	
Illinois cavalry..... 1	2	—	
Unionboat Tyler..... 1	2	—	
Total .....	84	288	235

The Confederates reported two hundred prisoners in their possession, including one hundred of the wounded. The rebel loss was accurately stated. A table published in the *Memphis Appeal*, November 1, gave the loss of four of the regiments

engaged, in killed, wounded and missing, as three hundred and sixty-four. In this ratio their total loss must have reached a number but little short of one thousand.

As will be inferred from General Polk's dispatch to Jefferson Davis, the Confederates claimed a great victory. Davis returned his congratulations to General Polk. "Accept," he said, "for yourself and the officers and men under your command, my sincere thanks for the glorious contribution you have just made to our common cause." And, in his message of November 18th, he referred to the battle of Belmont as one of the "glorious victories" which had blessed the Confederate arms. He did not, of course, allude to the guns which Grant had carried away—to the entrenched encampment destroyed—to the true nature of the Federal "advance."

The dispatch of Colonel Ogilvie from Cairo, and the movement of troops from Cape Girardeau and Ironton—all designed to surprise Jefferson Thompson's camp at Bloomfield—was only a partial success. After a painful march through the Big Mingo swamp, Ogilvie arrived at Bloomfield on the morning of November 7th, to find Thompson and his braves gone : they had incontinently fled to the swamps.

These dashes by Grant served the good purpose of inspiring the troops if nothing else. Long inactivity in camp rendered them uneasy, while their employment in active service excited that emulation which is the best assurance of success. The retreat of Fremont's advance upon Springfield, and the centralization of his forces at Rolla, St. Louis and Sedalia, rendered further diversions by Grant unnecessary. He therefore turned his attention to Western Kentucky, from whence the Confederates menaced both Cairo and St. Louis. His campaign up the Cumberland, which soon followed, forms one of most exciting chapters of the war.

Hunter having assumed command in Missouri after Fremont's deposition, ordered the retreat from Springfield, already chronicled, [see page 340.] The troops, thrown forward at such vast cost, retired, and the public sought to discover whether

Battle of Belmont.

Sad Results of the Retreat from Springfield.



folly had ordered the advance or the retreat. One thing was not left in doubt—its results. The withdrawal to the line of the Pacific railway left a shadow over Southern Missouri which grew lurid with fire and blood. The Unionists of all that section were, from that hour, exiles, or, if they remained, it was to endure a savage persecution. Pillage, violence, murder, stalked unchecked up to the very heart of the State; mercy was forgotten to men, and pity scorned to women and children; wherever the cut-throats of Texas, Arkansas and the border moved, their track was marked with desolation.

Victor Hugo says: "The brutalities of progress are called revolutions; when they are past this is apparent, namely, that the human race has been harshly treated, but has, nevertheless, advanced." It will be hard for those who suffered the brutalities of the revolution in Missouri to discover its beneficence. If, out of the fire and blood came no just apprehension of the monster iniquity which was the very soul of that revolution, the Missouri people suffered in vain. The great novelist will find his assumption of good from evil only sustained by its negative application to the secession revolution.

November 7th, an arrangement was announced, by orders from headquarters at Washington, whereby the Missouri State militia were to be called into the field to the aid of the United States forces in suppressing the rebellion. This was effected by Governor Gamble's personal application to the War Office. The terms of the arrangement gave the organization of the troops to the Governor, who was to appoint, as their Major General, the General commanding the Department of the West. This implied the fact of the troops being under control of the United States authorities. They were to be armed, clothed, subsisted and paid as any other forces of like arms of the service. All Home and State Guards were, by this agreement, enlisted in the war at once, and soon gave to the Department commander large reinforcements to his ranks.

Nov. 9th, the War Department announced the reorganization of the departments of the West, of the Ohio, and of the Cumberland, viz.:

"1. The Department of New Mexico, to consist of the Territory of New Mexico, to be commanded by Colonel E. R. S. Canby, United States Army.

Reorganization of  
Military Depart-  
ments.

"2. The Department of Kansas, to include the State of Kansas, the Indian Territory west of Arkansas, and the Territories of Nebraska, Colorado and Dacotah, to be commanded by Major General Hunter. Headquarters at Fort Leavenworth.

"3. The Department of the Missouri, to include the States of Missouri, Iowa, Minnesota, Wisconsin, Illinois, Arkansas, and that portion of Kentucky west of the Cumberland river, to be commanded by Major General H. W. Halleck, United States Army.

"4. The Department of the Ohio, to consist of the States of Ohio, Michigan, Indiana, and that portion of Kentucky east of the Cumberland river, and the State of Tennessee, to be commanded by Brigadier General D. C. Buell. Headquarters at Louisville.

"5. The Department of Western Virginia, to consist of that portion of Virginia included in the old Department of the Ohio, to be commanded by Brigadier General W. S. Rosecrans, United States Army."

General Hunter, during the brief term of his temporary command in Missouri, did little else than to concentrate troops, preparatory to turning them over to General Halleck. His orders promulgated from St. Louis Nov. 12th, enjoined upon all commanders of troops to "avoid extensive movements which offer battle or divide and prolong our lines, until further concert and concentration of action can be arranged, and instructions giving full and concise reports will be forwarded immediately to Brigadier General Curtis, St. Louis, giving the strength, position and condition of every command in the department."

Concentration of Fed-  
eral Forces.

Hunter arrived in St. Louis November 15th. General Lane's brigade, withdrawing from Springfield, eventually retired to Fort Scott in Kansas. The divisions of Pope, McKinstry and Hunter marched to the line of the Pacific railway, to await Halleck's orders. The divisions of Siegel and Asboth soon followed. Upon Halleck's arrival in St. Louis, November 18th, he convened the Generals of divisions to a conference, and was then prepared to assume the duties of his command.



The Fremont-Price  
"Treaty."

One of Hunter's first acts, after assuming command, was to repudiate the

proposed "treaty" between Fremont and Price, regarding the conduct of the war in Missouri, which was then only awaiting the rebel General's signature to become effective. The document, though properly belonging to the history of Fremont's "Hundred Days," is here given to indicate the policy adopted by the new directors of affairs. This important and rather novel arrangement between belligerents was as follows :

"Whereas, Major-General Sterling Price, commanding the Missouri State Guard, by letter dated at his headquarters near Neosho, Missouri, October 26th, 1861, has expressed a desire to enter into some arrangement with Major-General John C. Fremont, commanding the forces of the United States, to facilitate the future exchange of prisoners of war released to parole ; also, that all persons heretofore arrested for the mere expression of political opinions, may be released from confinement or parole ; also, that in future the war be confined exclusively to the armies in the field, and has authorized and empowered Major Henry W. Williams and D. Robert Barclay, Esqs., to enter into such an arrangement in his behalf ;

"And whereas, Major-General John C. Fremont concurs with Major-General Price ;

"Now, therefore, It is hereby stipulated and agreed by and between Major-General John C. Fremont and Major-General Sterling Price, as follows, to wit :

"First — A joint proclamation shall be issued, signed by Major-General John C. Fremont and Major-General Price, in proper person, in the following language, to wit :

#### " PROCLAMATION.

"To all peaceably disposed citizens of the State of Missouri, greeting :

"Whereas, A solemn agreement has been entered into by Major-Generals Fremont and Price, respectively commanding antagonistic forces in the State of Missouri, to the effect, that in future arrests or forcible interference by armed or unarmed parties of citizens within the limits of said State for the mere entertainment or expression of political opinions, shall hereafter cease ; that families now broken up for such cause may be reunited, and that the war now progressing shall be exclusively confined to armies in the field ; therefore, be it known to all whom it may concern—

"1. No arrests whatever on account of political opinions, or for the merely private ex-

pression of the same, shall hereafter be made within the limits of the State of Missouri, and all persons who may have been arrested, and are now held to answer upon such charges only, shall be forthwith released. But it is expressly declared that nothing in this proclamation shall be construed to bar or interfere with any of the usual and regular proceedings of the established courts and statutes and orders made and provided for such offenses.

"2. All peaceably disposed citizens who may have been driven from their homes because of their political opinions, or who may have left them from fear of force and violence, are hereby advised and permitted to return, upon the faith of our positive assurances, that while so returning they shall receive protection from both armies in the field, whenever it can be given.

"3. All bodies of armed men acting without the authority or recognition of the Major-Generals before named, and not legitimately connected with the armies in the field, are hereby ordered at once to disband.

"4. Any violation of either of the foregoing articles shall subject the offender to the penalty of military law, according to the nature of the offense.

"In testimony whereof, the aforesaid John Charles Fremont, at Springfield, Missouri, on the first day of November, A. D. 1861, and Major-General Sterling Price, at ———, on this ——— day of November, A. D. 1861, have hereunto set their hands, and hereby mutually pledge their earnest efforts to the enforcement of the above articles of agreement, according to their full tenor and effect, to the best of their ability.

"Second — Brigadier-General Samuel R. Curtis, or the officer in command at Benton Barracks, is hereby authorized and empowered to represent Major-General Fremont ; and Colonel D. H. Armstrong, Honorable J. Richard Barrett and Colonel Robert M. Renick, or either of them, are hereby authorized and empowered to represent Major-General Price ; and the parties so named are hereby authorized, whenever applied to for that purpose, to negotiate for the exchange of any and all persons who may hereafter be taken prisoners of war and released on parole ; such exchanges to be made upon the plan heretofore approved and acted upon, to wit : grade for grade, or two officers of lower grade as an equivalent in rank for one of a higher grade, as shall be thought just and equitable.

"Thus done and agreed at Springfield, Missouri, this first day of November, 1861.

The Fremont-Price  
"Treaty."



Hunter wrote to Price, November 7th, informing him that, as General commanding, he (Hunter) would in no manner recognize the above agreement or any of its provisions, implied or specified—that he would neither publish nor allow the issue of the “joint proclamation,” purporting to have been signed, &c., &c. This nullification of one of Fremont’s most important acts, Hunter justified in the following terms addressed to the War Office :

Hunter’s Reasons for  
Rejecting it.

“It would be, in my judgment, impolitic in the highest degree to have ratified General

Fremont’s negotiations, for the following, among many other, obvious reasons :

“The second stipulation, if acceded to, would render the enforcement of martial law in Missouri, or any part of it, impossible, and would give absolute liberty to the propagandists of treason throughout the length and breadth of the State.

“The third stipulation, confining operations exclusively to ‘armies in the field,’ would practically annul the confiscation act passed during the last session of Congress, and would furnish perfect immunity to those disbanded soldiers of Price’s command, who have now returned to their homes, but with the intention and under a pledge of rejoining the rebel forces whenever called upon ; and lastly,

“Because the fourth stipulation would blot out of existence the loyal men of the Missouri Home Guard, who have not, it is alleged, been recognized by

act of Congress, and who, it would be claimed, are therefore ‘not legitimately connected with the armies in the field.’

Hunter’s Reasons for  
Rejecting it.

“There are many more objections quite as powerful and obvious, which might be urged against ratifying this agreement—its address ‘to all peaceably disposed citizens of the State of Missouri,’ fairly allowing the inference to be drawn that citizens of the United States (the loyal and true men of Missouri) are not included in its benefits.

“In fact, the agreement would seem to me, if ratified, a concession of all the principles for which the rebel leaders are contending, and a practical liberation, for use in other and more immediately important localities, of all their forces now kept employed in this portion of the State.”

What with the President’s suspension of Fremont’s manumission proclamation—with Hunter’s suspension of Fremont’s campaign, and his repudiation of the “treaty” with Price—with Halleck’s order banishing all runaway slaves from his lines—Fremont’s procedure in Missouri must be pronounced a gigantic failure. Yet, the historian will have to write, that, in all important respects, the Administration had to conform to Fremont’s ideas ere one year was past. Fremont’s errors would, thence, appear to have been in *anticipating* the Administration—errors of construction rather than errors of fact.



## CHAPTER IV

OPERATIONS IN KENTUCKY UP TO THE BATTLE OF MILL SPRING.  
FORCES IN THE FIELD. THE EAST TENNESSEE MOVEMENT.  
BRIDGES BURNED. PERSECUTION OF UNIONISTS. THE KEN-  
TUCKY "PROVISIONAL" CONVENTION. ITS ABSURD PROCEED-  
INGS. KENTUCKY'S QUOTA OF TROOPS. THE DEPARTMENT OF  
CAIRO. BATTLE OF MUNFORDSVILLE. ROUT OF HUMPHREY  
MARSHALL'S BRIGADE. ZOLLICOFFER'S SECOND ADVANCE.  
BATTLE OF MILL SPRINGS.

The Location of  
Forces.

THE disposition of forces  
in Kentucky made by Gen-  
eral W. T. Sherman, during

position, which extends  
from Bowling Green on his  
left through the centre in

The Location of  
Forces.

his brief command in the Department of the Cumberland, were such as the exigency seemed to require. The rebels had the vantage ground. Not until after November 15th, did Buckner retire to the south side of Green river and draw in his lines toward Bowling Green. The battle of Wild Cat (Oct. 20th) gave General Schœpff such a position as soon compelled the evacuation of Barbourville—Zollicoffer retiring in much discomfiture towards Cumberland Gap, at which point he knew the Federals were aiming. The Louisville *Journal* of Nov. 6th, said: "The disposition of the three divisions of our Union troops may be briefly stated: General Crittenden commands the Western division, General McCook the centre, and General Thomas the Eastern, while General Sherman supervises the whole. In the West Colonel Burbridge has advanced as far as Woodbury, at the confluence of the Big Barren with Green river, about fifteen miles on the left flank of Buckner's position at Bowling Green. In the centre our troops have gone beyond Nolin, and taken position at Bacon Creek, which is not more than six or seven miles from Munfordsville, on the Green river. The Western division has received orders to march from Mount Vernon, the intended route being through Pulaski towards Cumberland, from whence Staunton has just fallen back. Thus our troops are converging upon the enemy's

position, which extends from Bowling Green on his left through the centre in Barren county to his right recently at Burksville. The Union armies are advancing slowly but surely. General Crittenden has had his headquarters at Morgantown, in Butler county, with such gallant spirits as Colonels Jackson, McHenry and Burbridge. General McCook will soon be at Munfordsville, on the Green river, at which point he can cross whenever it is desirable, and General Schœpff is clearing away the rebels who have recently ravaged the valley of the Cumberland." This well indicates the line of advance. The entire arrangement was made with reference to forcing every rebel battalion from Kentucky soil, leaving to Grant the work of dealing with General Polk and the Columbus defenses. This extension of the lines, however, required a force equivalent to the strength of three armies, since the Confederates, by a rapid concentration, might fall upon any one of the divisions to its destruction, should it prove weak. Sherman bent all his energies to the single point of securing his positions—a labor that cost him his command, exciting, as it did, so many personal and public antagonisms, as to render the presence of another director necessary. The story of Sherman's Kentucky campaign illustrates one of the features of the Union campaigns which accounts for many a sin of omission and commission—the bickerings and rivalries among officers amounting to absolute



ruin of many a well ordered step. That Sherman fully comprehended the work in hand, it took but a few months to demonstrate; and the abandonment of his well conceived advance into East Tennessee will stand as one of the most melancholy and inexcusable shortcomings of the entire struggle.

The Advance on  
East Tennessee.

That the rebels were keenly alive to the danger of an advance into East Tennessee, appeared as well in the tone of their press as in their great efforts to stay the progress of Schœpff and Nelson. The Richmond journals were loud in their demands for assistance against the enemy in that quarter, and early in November had the pleasure of announcing that General Sidney A. Johnston would direct, in person, the campaign against Thomas. Nelson's sudden dash at Prestonburg [Nov. 5-7] and the rapid retreat up the Big Sandy river of the rebel General, John S. Williams—the repulse of the latter near Piketon and his retreat to Pound Gap—gave the Confederates every reason for alarm, since all that portion of Western Virginia south of the Great Kenawha river was then open for the Union advance in that direction. A Richmond paper of November 14th, said:

“No government can afford to let such a population as this be overrun, or to lose a district from which so many of its best soldiers are supplied. Intrinsically important as Southwestern Virginia is to the Government, from the qualities of its people, it is even more important from its geographical position. If that country be given up, and East Tennessee be in consequence lost, the empire of the South is cut in twain, and we become a fragmentary organization, fighting in scattered and segregated localities for a cause which can no longer boast the important attribute of geographical unity.”

So Sherman appeared to think. He evidently proposed to make a strong demonstration in that direction. Nelson's advance completely banished the invaders from Eastern Kentucky, leaving his column at liberty to move against Pound Gap, or to co-operate in the movement for the relief and release of East Tennessee.

The people of the section of the Confederacy lying around Knoxville were aroused to a state of mingled hope and enthusiasm at the promise of early relief. The Unionists

long had been secretly organized and when informed of the approach of the

The Union Uprising  
in East Tennessee.

Federal army, they prepared to strike for their deliverance. Late in October Captains Fry and Carter, refugees from Tennessee, but then in the Union advance column, passed in disguise over the mountains and conferred with leading citizens at a secret gathering held near Knoxville. Over one hundred persons were present, most of them being well known and influential men. The messengers represented that Zollicoffer would be assailed and driven from Cumberland Gap—that, in order to prevent his rapid reenforcement, it would be necessary to burn bridges on the railways leading south and east of Knoxville—that their destruction being complete, the Federal forces would soon so occupy the State, or that portion of it represented at the Greenville Convention [see pages 296-98] as to free it from Confederate rule. Acting upon these representations the Unionists decided upon arrangements for the work in hand. Parties were organized, numbering from fifteen to twenty-five resolute men each. Properly provided with combustibles, they proceeded, with great caution, to the several bridges chosen for destruction. On the night of November 10th, between the hours of ten and eleven, the air was lit by the glare of the conflagration of four heavy railway structures. The work was admirably managed—the firing being simultaneous, and the destruction perfect. The bridges rendered useless were: that over Hiwassee river at Charleston, on the East Tennessee and Georgia railroad; that over Lick creek and the work spanning the Holston river at Union—both on the East Tennessee and Virginia road; two trustles crossing the Chickamingo creek eight miles from Chattanooga, on the Western and Atlantic road. The telegraph lines also were destroyed between Knoxville and Chattanooga, and Knoxville and Bristol. Captain Fry superintended the burning of Lick creek bridge. That work was guarded by six soldiers, who were overpowered but were released after taking the oath of allegiance to the United States, swearing by the Bible—a copy of which was carried along for that very service. Of course the rebels broke



their oath upon release. They hastened to give the alarm, and, by their evidence, six of the Unionists were apprehended, thrown into dungeons and two of them hung. Captain Fry escaped to Kentucky, but not to lead the Federal advance over the mountains. The Federal forces had deflected toward the east instead of pressing in to Tennessee.

The Union Uprising  
in East Tennessee.

This daring act greatly excited the Confederate authorities. For a few days

the most lively apprehensions existed in regard to conspiracies, uprisings and rebellion; but, when it was seen that nothing further than bridge burning occurred, and rebel troops were thrown rapidly into that section, assurance took the place of fear. The rivets in the manacles placed on Union wrists were tightened, and, as their helplessness became more apparent, so the cruelty of their tormentors increased, until few men were strong hearted enough to avow a love for the old Union. The *Memphis Appeal* of November 10th, wrote:

"This insurrection, however, while comparatively harmless from its being premature, gives evidence of a deep laid plot among a few of the most reckless traitors of that region to resist the sovereign voice of the people of the State by force of arms, so soon as they have hope of assistance from the Lincoln despotism. It is fortunate that it has occurred at the present time, when we are fully able to put a lasting quietus upon it, from which no appliances of future Federal aid will ever be able to resuscitate. We now have an open foe to conquer, who is rendered impotent by the very disclosure of his hostility—and not less so by his isolation."

Truly said. The "foe" was rendered impotent by his isolation, and his very helplessness was but a prelude to punishments at which human nature revolts.\* But what baseness directed the paragraph! "To resist the sovereign voice of the people"! The journalist who uttered the libel falsified because he dare not do otherwise. The entire Confederate cause was built upon just such departures from honor and truth. The "sovereign voice of the people," as declared in the last election then held in East Tennessee,

\* See Parson Brownlow's book for details of the sufferings experienced by the few who would not recant their loyalty. His statements are confirmed by much official and personal testimony.

was, on the question of secession or no secession,

Rebel Persecutions.

thirty-two thousand nine hundred and twenty-two for the Union—being a *majority* of over *eighteen thousand* votes *against* secession. *That* was the "voice of the people," expressed even in the face of Confederate muskets. It is well the record exists, to live as a blasting witness against those ministers of misrule who desecrated the name of American by their crimes in Tennessee.

The act was premature. It resulted disastrously, in calling down upon loyalists the full rigor of Confederate law and filling that section with rebel troops to such a number as rendered the Federal advance one of peril. It aroused Governor Harris to renewed vigilance in the cause of persecution. Under the guise of a call for arms to fit troops for the field, he issued a proclamation (Nov. 12th) by which East Tennesseans were very generally disarmed and rendered all the more helpless. November 14th he issued another proclamation calling out the militia to the number of thirty thousand "to repel the invader," ordering the conscripts to be ready for marching orders by the 25th of November. Under this order about twelve thousand men were placed in the Confederate ranks—temporarily as they supposed, but permanently as the Confederate leaders designed. It was not the only instance during the war where the militia of the Southern States were impressed after having once been put in the field.

The spirit of Confederate mercy was made public in proclamations as well as in acts of violence, which spared no citizen of loyal sentiments. One Daniel Leadbetter, "Colonel Commanding" at Greenville and vicinity, issued a manifesto, December 4th, from which we quote:

"The Government commands the peace and sends troops to enforce the orders. I proclaim that every man who comes in promptly and delivers up his arms will be pardoned on taking the oath of allegiance.\* All men taken in arms against the Govern-

\* Exercising his authority, this officer hung a number of persons. To be *suspected* of Union sentiments was enough to unglove the iron hand of this minister of vengeance. Almost his first act was to arrest and hang without trial two men named Fry and



ment will be transported to the military prison at Tuscaloosa, and be confined there during the war. Bridge burners and destroyers of railroad tracks are excepted from among those pardonable. They will be tried by drum-head court-martial and be hung on the spot."

This, though done by authority of General Carroll, commanding at Knoxville, was simply in accordance with the wishes of the Confederate War Department. Secretary Judas P. Benjamin, being asked what disposition should be made of the bridge burners, answered: "All such as can be identified as having been engaged in bridge burning, are to be tried summarily by drum-head court-martial, and, if found guilty, executed on the spot. *It would be well to leave their bodies hanging in the vicinity of the burnt bridges.*" This was the spirit of Confederate humanity towards citizens of the South whose loyalty to the Union led them to take up arms in its defense.

The "Conference" at Russellville, Kentucky, October 28th, claims notice at this point. It was composed of a number of leading secessionists and disloyal persons professing to "represent" forty counties. Its sessions continued through two days, with closed doors, and resulted in the passage of resolutions reciting the unconstitutional and oppressive acts of the State Legislature; pro-

Hensie for bridge burning. Fry was brother to Captain Fry, already referred to. The bodies were hung from the limb of a tree close to the railway track, that persons in passing might strike them with canes and switches. They hung there for *four days* before burial, as suggested by the Confederate Secretary of War. This reign of terror continued for many months. When Jefferson Davis called General McNeil, of Missouri, to account for hanging seven "guerrillas"—who, besides numerous outrages, had murdered an inoffensive old citizen in a cold-blooded manner—no one would have inferred that the indignant President had commissioned the prosecutors of the Unionists to their bloody work. No one reading his celebrated "black flag" proclamation of December 23d, 1862, would have supposed that the Confederate Law Giver had, from the very beginning, sanctioned the most heartless and bloody usage of every loyal Union man found in his dominions. He and his emissaries showed *no* mercy to any Southern man guilty of repudiating the Confederate flag.

claiming revolution; providing for a "Sovereignty Convention," to be held at Russellville Nov. 18th; recommending the organization of County Guards, to be placed in the service of and to be paid by the Confederate Government; pledging resistance to all Federal and State taxes for the prosecution of the war; appointing a committee, composed of Robert McKee, John C. Breckenridge, Humphrey Marshall, George W. Ewing, H. W. Bruce, George P. Hodge, William Preston, George W. Johnson, Blanton Duncan and P. B. Thompson, to carry out the wishes of the Conference. The "Sovereign Convention" met at the designated time and proceeded to the inauguration of a Provisional Government, passing an ordinance of secession, and adopting a plan of government. This plan contemplated the election, *by the Convention*, of a Governor and ten Councilors. These persons were clothed with *absolute power*—making all laws, appointing all State officers, making treaties, controlling army and navy, &c., &c. They also elected the Senators and Representatives to be sent to the Confederate Congress. They were to provide "by law" for the election of the Representatives, but as the "Council" was law, it "elected" them and "appointed" the Senators. Bowling Green was to become the temporary capital.

This rather laughable legislation fully illustrates the supreme authority assumed by the self-constituted directors of affairs in the South. The Conventions, as we have already shown, sat in permanent sessions, overriding State Legislatures and enacting laws at their will. In not one single instance—save in that of South Carolina—were the Conventions elected by the people for any other purpose than to consider what was best to be done. If "co-operation" was resolved upon, the Conventions were to draft ordinances of secession, to be submitted to the people for ratification. But, with the sublime effrontery which characterized all the preliminary stages of the revolution, the Conventions, once in power, defied all other power, and became supreme: they controlled the destinies of the States. Creating a whirlwind, they rode on the storm, sedulously augment-

The Russellville Secession Convention.



ed, into power and Confederate greatness. Kentucky was slow to perceive the use of a "Convention" at all—hence, one never was called; but, the Confederacy wanted the State, on its slate at least—just as it had Missouri, for a good showing; the Convention was forthcoming whether the people willed or not. The State was voted out of the Union, a "provisional" Governor and Council were chosen, Representatives and Senators were sent to the Confederate Congress—all by the "patriotism" of about forty men. We say the proceedings were laughable: they certainly were wicked enough, but, after all, were too absurd for serious consideration. Their only significance is to indicate the proclivity of the revolution towards usurpation. The Kentucky people, however, were proof against schemes of designing men. Could as much have been said of other States, a Southern Confederacy would have been but the dream of a few Pro-slavery fanatics. [We give the Ordinance of Secession and the "Plan of Provisional Government" in the Appendix more as matters of curiosity than for their importance to history. We do not refer to the installation of "Governor" Johnston, nor quote from his "message"—deeming them matters of as slight importance as one of General Pillow's proclamations.]

Buell's Force in the Field. General Buell reached Louisville November 15th, and soon assumed command. He withdrew Nelson from Eastern Kentucky, strengthened Thomas at Danville while his advance was diverted toward Somerset. The divisions and brigades of McCook, Rosseau, Johnson, Wood, Negley and Mitchell, secured the lines established by Sherman. The general movement of Federal forces looked to the capture of Bowling Green by flank and front approaches. The number of troops as indicated by the Department pay rolls (Dec. 10th) was sixty-two regiments; during December this number was reenforced heavily. Ten Indiana, twelve Ohio and six Illinois—full twenty-five thousand strong—were among the number of troops placed at Buell's disposal. To this should be added in December the State quota of ten regiments which the General Government authorized the State Military Board

of Kentucky to call into the field for twelve months duty, "to repel invasion." These men were not all ready, however, until the Spring of 1862. The total number of men enlisted in the United States service from Kentucky was <sup>Kentucky's Quota.</sup> stated by the Military Board to have been 18,812 at the date of November 7th. This number did not include those called into service prior to the organization of the Board—Rosseau's first brigade and Jackson's cavalry being composed of these early enlistments. It will be perceived by these figures how loyal the great mass of Kentuckians were, while they serve also the good purpose of correcting the assumptions of Breckenridge, Buckner, Marshall, Burnett and ex-Governor Morehead, that "neutrality" was the choice of the people, and that, therefore, in its loyal action the Legislature had betrayed the State. By March 1st, 1862, there were about thirty thousand Kentuckians in the field. Kentucky's vote at the Presidential election 1860 was 146,216. Her contribution of troops was, using these figures as the basis of her population capable of bearing arms (omitting the usual per centage of one-fifth for persons exempt by age, disease, &c.), equal to more than one out of every four of her able-bodied men.

The Rebel Lines and Strategy. The concentration of Confederate forces at Bowling Green and Columbus was heavy during November and December. General Johnston, Commander-in-Chief in the Mississippi valley, resolved to hold both positions at all hazards, as well as to keep the Unionists from Tennessee on the west. To this end he labored with untiring assiduity and with success. The States of Texas, Louisiana, Mississippi, Arkansas and Tennessee all responded liberally to his call; every confidence was felt in his ability to hold the Federals in check. The building of gunboats at several points on the Ohio and Mississippi rivers inspired the Confederates with no particular alarm. Memphis, Columbus and Island No. 10 were deemed impregnable to the passage of any fleet down the 'Father of Waters.' Powerful forts were erected on the Tennessee and Cumberland rivers, near the State line, equal, it was supposed, to the task



## The Rebel Lines and Strategy.

of securing those fine streams from Federal use. A rebel correspondent, writing from Bowling Green, under date of Nov. 29th, said: "Importance undoubtedly is attached to the menacing attitude being assumed, and the extensive preparations being made for a speedy attack, by land and water, upon Columbus; but that this division is as seriously threatened as is that of General Polk is patent to all acquainted with the force intended to operate against both fronts. General Johnston rightly estimates the necessity of holding this place at all hazards, and its strength is not to be weakened by the permanent removal of any considerable portion of the troops now here. Neither will this army go into winter quarters without having struck a fearful blow, which may be decisive of the fate of Kentucky."

Buell was kept fully informed of every rebel movement and of the force at particular points, by loyal Kentuckians who came in constantly from every county. His delays to push the advance already inaugurated by his predecessor, were occasioned by the rapid concentration of the enemy on his front. Their strength in the field and in fortifications was so great that it became necessary to augment his own strength fully fifty per cent. beyond what was first contemplated as necessary to carry the war into Tennessee. Hence, the powerful reinforcements detailed to his department during December. Hence, also, the creation, Dec. 23d, of the new department of Cairo, which embraced Southern

## The Department of Cairo.

Illinois, that portion of Kentucky lying west of the Cumberland river and the tier of counties in Missouri bordering on the Mississippi river south of Cape Girardeau. Of this department General Grant assumed command. He at once prepared for the brilliant campaign up the Tennessee and Cumberland that quickly followed, by which the enemy's lines were cut, his strong positions at Columbus and Bowling Green so entirely turned as to compel their hasty evacuation, and his entire occupation of Kentucky soil rendered worse than a defeat, since his retreat opened the way to Nashville, at once.

General Buell telegraphed to headquarters under date of December 18th as follows:

## The Fight at Munfordsville.

"McCook's division is at Munfordsville, General Mitchell at Bacon's Creek. Zollicoffer is either retreating across the Cumberland river or is preparing to do so at the approach of any superior force.

"General McCook reported that the rebels attacked my pickets in front of the railroad bridge at two o'clock to-day. The picket consisted of four companies of the Thirty-second Indiana, Colonel Willich, under Lieutenant-Colonel Van Trebra. Their forces consisted of one regiment of Texan rangers, two regiments of infantry, and one battery of six guns. Our loss was, Lieutenant Sachs and eight enlisted men killed and ten wounded. The rebel loss was thirty-three killed, including the Colonel of the Texan rangers, and about fifty wounded. The rebels retreated ingloriously."

The skirmish here referred to amounted to a well ordered battle on a small scale. It occurred at Rowlett's Station, south of Munfordsville. A rebel force under Brigadier-General T. C. Hindman, of General Hardee's division, consisting of two regiments of Arkansas volunteers, one of Texan cavalry and a four gun battery, advanced to force the Federal pickets back over Green river and to destroy a newly erected bridge over the stream. Colonel Willich's regiment—the Thirty-second Indiana, composed exclusively of, and commanded by, Germans—held the Federal advance, and had thrown four companies as pickets forward to the station. Shortly after one o'clock Dec. 18th, the scouts reported rebels in the woods around, when two companies (Second and Third) were ordered forward by Lieutenant-Colonel Trebra to skirmish—the remaining companies of the regiment at the same time being called to the field. The skirmishers pressed the enemy so hard and so effectually as to drive his reconnoitering advance back half a mile to his main line. A section of the Texas cavalry then suddenly dashed forward showing the gallant Germans that they must fight their way back. The retreat was in solid square over an *open* field, into which the cavalry, confident in numbers and strength, dashed with reckless spirit. The ruse succeeded: the two remaining companies, posted in the woods on each side of the field, opened on



the cavalry with fatal effect. The horsemen were brought to a stand, when their infantry supports came forward. At the same time the six companies of the Indianians left on the north side of the river took flank positions, right and left, and the fight for one hour was most obstinately contested. Several times the enemy feigned retreat to draw the Federals under their artillery fire but did not succeed. Hopeless in this their battery finally opened from its masked position, with all its power, covering a second charge by the Texans. Hard pressed the Germans fell back slowly but in perfect order, until relieved by the advance of two regiments from McCook's division, under his own command. The enemy, in turn, retired from this demonstration, badly cut up by the guns of Captains Stone's and Cutter's batteries. Colonel Terry of the Texan cavalry was killed in gallantly striving to cover the retrograde movement. [Hindman in his report stated that Terry was killed in leading the first assault.]

The Fight at Munfordsville.

In this affair Willich's men behaved with commendable courage and discipline.

They maintained the field only by excellent handling. Colonel Willich arrived on the ground when the enemy was pressing his companies back at the last assault. His presence kept all cool and determined. Lieutenant-Colonel Trebra acted throughout with skill and good judgment.

The Federal loss was eleven killed, and twenty-one wounded. Lieutenant Max Sachs, of company C, was pierced by six balls. The enemy's loss is not known. Hindman reported it as four killed, and ten wounded. Considering that there was much close quarter fighting—that the Germans fought chiefly under cover of the woods—that the regiment was armed with the Belgian musket, which the men handled with great efficiency—the mere statement of Hindman to the contrary, does not forbid the supposition of serious loss on the enemy's part.

That Hindman's force was not captured entire, or cut to pieces, was owing to orders not to cross Green river, so as to bring on an engagement. McCook marched with his en-

tire division from Bacon creek to Munfordsville on the day of the fight. His men were with difficulty restrained from pushing over to engage the enemy; but, two regiments—the Forty-ninth Ohio and Thirty-ninth Indiana—were permitted to cross in order to save Willich's men from defeat.

Much interest centered in the movements of Zollicoffer.

Zollicoffer's Second Advance.

His advance to the Cumberland river during the second week of December, was followed by reenforcements, until his troops numbered about six thousand strong. With this force he prepared, by entrenching on both sides of the river, at the junction with White Oak creek, about six miles from Somerset, to retain such a position in Kentucky as would hold Thomas' forces in check. Schœpf, after his Wild Cat success, was ordered to Somerset. The movement against Cumberland Gap was thus arrested. Buell's design was to use the division of Thomas as a flank and rear advance upon Bowling Green. To this end the Eastern Tennessee campaign was at least temporarily abandoned. The Confederates, quick to detect the strategy, were as quick to profit by it.

General Johnston at once ordered Zollicoffer to assume the offensive by taking such a position as would retain Thomas from his flank advance. The choice was made of the very strong position on the Cumberland, at and opposite Mill Springs, where natural barriers were quickly transformed into almost impregnable fastnesses. At this point the Confederate sympathisers from Eastern Kentucky gathered in considerable numbers, and the rebel camp soon became a terror to the Southern tier of counties. Atrocities of every conceivable nature were perpetrated, seemingly upon friend and foe alike. "Zollicoffer's Den" soon assumed its place in history as a general rendezvous of all the worst elements of Kentucky and Tennessee life.

The withdrawal, by Buell, of Nelson from his career of successes in the

Humphrey Marshall's Camp.

west fork of the Big Sandy, left that region open to Confederate occupancy. Humphrey Marshall, a leading citizen of Kentucky, having gone over to the Southern cause, opened



a rendezvous at Paintsville, in Johnson county, where he rapidly gathered a brigade composed chiefly of Kentuckians, who, influenced by his inflammatory appeals, cast their fortunes with his own. His friend John C. Breckenridge, at the same time, was in command of a similar brigade at Bowling Green. Marshall was an "old line Whig"—Breckenridge an "old line Democrat;" they struck palms when the Southern Confederacy commanded. Life-long political enemies fraternized with a zeal indicative either of remarkable devotion to the Southern idea, or of remarkable recklessness of consequences.

Rout of Marshall's  
Brigade.

Marshall was soon disposed of by Colonel Garland, who entered Paintsville January 7th, with two regiments and three hundred cavalry. Hearing of this approach, the rebel commander beat a rapid retreat, leaving behind him a strongly entrenched camp. He was pursued by the Federal cavalry to the mouth of Jennie creek, where a sharp skirmish took place, in which the rebel rear guard was badly worsted. Garland followed, January 9th, with eleven hundred men, and came up with the enemy's pickets two miles below Prestonburg. Marshall had made a stand at the forks of Middle creek. At noon of January 10th, Garland was in hot action with him. Marshall had about two thousand five hundred men and three guns, all well posted. The fight lasted until dark—the Federals being reinforced by seven hundred infantry from Paintsville. In the night Humphrey fled, leaving twenty-seven of his dead on the field. Garland occupied the village of Prestonburg, from which Nelson had but two months before driven "Cerro Gordo" Williams. This was the last of Marshall for some weeks, and Eastern Kentucky, for the second time, was pronounced "cleared."

These little affairs, though gallantly executed, served scarcely to arrest notice. All attention was directed to the front and flank movements of Buell's army. The general movement upon and over the line of Green river did not immediately follow the skirmish at Munfordsville, December 18th. Three weeks were spent in reconstructing the bridge at that important point, so as to

pass infantry, artillery and trains over with freedom, and thus to provide for the contingencies of a retreat as well as an advance in force. The delay, in all probability, was extended in order to give time for Thomas' movements, designed to make an end of Zollicoffer's demonstration.

This Tennessee leader had issued his proclamation, dated from Beech Grove, December 16th, 1861, addressed to the people of South-eastern Kentucky, and designed especially to inflame the minds of all against the Federal Government. It was his hope to excite a general uprising, offering his camp as a rallying point. It accomplished nothing save to gather in the rebel camp a large number of vagabonds whom Kentucky had called citizens, but whose absence was a source of congratulation, particularly to all property holders.

Zollicoffer's Move-  
ments.

Thomas rendezvoused his division—the 4th of Buell's army—at Columbia, in Adair county. The different brigade encampments at Lebanon, Bardstown and London were deserted. He moved from Columbia via Jamestown to the Cumberland. The design was to engage Zollicoffer upon the front—Schepff co-operating by advancing upon the enemy by way of Fishing Creek—while a strong force was to pass over the river to the rebel rear, reaching Monticello in time to cut off his retreat from Mill Springs. The plan to bag the enemy *en masse* was well arranged but failed owing chiefly to the rebel counter-movement. Without waiting for the threatened assault, Zollicoffer and Crittenden moved forward from the camp at White Oak creek, and engaged the Federalists before they were prepared for it.\* This disconcert-

Thomas' March to the  
Cumberland.

\* An account of the rebel movements written by one evidently in high command, and published in a Richmond journal Feb. 4th, stated that the want of rations and forage was so great as to have compelled the Confederate abandonment of the campaign even if Thomas had not advanced. A council of commanders was held on the evening of Jan. 18th, when the attack on Thomas was determined upon, against, it would appear, the judgment of several of the Colonels. Only two days rations were then in camp. The attack resulted in a defeat only because



ed Thomas' plans so far as to compel him to use all his available force and a portion of Schœpff's command to repel the attack.

The Camp at Logan's Place.

On Thursday, Jan. 17th, the Ninth Ohio, Colonel R.

L. McCook; the Second

Minnesota, Colonel H. P. VanCleve; the Tenth Indiana, Colonel M. D. Manson; the Fourth Kentucky, Colonel S. S. Fry; a battalion of the First Kentucky cavalry, Colonel Wolford; and Kinney's battery, arrived at Logan's cross roads about ten miles from the rebel camp at Beech Grove on the Cumberland, at the mouth of White Oak creek. The march was excessively wearisome, and the troops arrived at Logan's place in an exhausted condition. Thomas there pitched his camp, to await the arrival of the rest of his division, comprising the Fourth and Tenth Kentucky, the Fourteenth Ohio and Eighteenth United States regulars, with Wetmore's battery. That evening he was visited by General Schœpff, whose command was then near to Somerset, about eight miles from Logan's farm. On Friday the Fourteenth Ohio, Colonel Steedman; the Tenth Kentucky, Colonel Harlan; a section of the First Michigan Engineers, Lieutenant-Colonel Huston, and a battery reached the camp in a greatly exhausted condition, having marched in a direct line from Columbia, constructing a road as they moved. The regulars failed to come up in season to participate in the action or pursuit.

Movements of Federal Troops.

Early Saturday morning the Fourteenth Ohio and Tenth Kentucky were dis-

patched on a reconnoissance to the Cumberland river. They pushed on through a drenching rain, close to the rebel camp at White Oak creek, and returned late in the afternoon, almost exhausted with fatigue and exposure, to report the enemy still in his old position. The same morning a portion of Schœpff's force (Carter's brigade)—composed

of the death of Zollicoffer, was the writer's opinion. The rebel press, however, charged treachery upon General Crittenden as the cause of the unwelcome disaster. This charge was simply absurd. Crittenden may have been drunk as alleged, but he fought well and retreated in good order considering the extent of the disaster to his command.

of the Twelfth Kentucky, the First and Second Tennessee and Captain W. E.

Movements of Federal Regiments.

Standart's battery—proceeded, on the Columbia road, to Fishing creek, where they awaited orders. They were soon directed to report at Logan's place, and, wading the swollen stream, reached that camp at midnight in a wretched plight. The rest of Schœpff's force—comprising the Seventeenth, Thirty-first and Thirty-fifth Ohio—marched to a lower ford on Fishing creek—leaving the Thirty-eighth Ohio in the camp at Somerset, to guard it. Attempting to cross, only one regiment had reached the western shore at nightfall when orders came from Thomas for the three regiments to return to their camp near Somerset, where they could be rendered quickly available in case of need. These marches and counter marches it is supposed were designed to puzzle the enemy. They at least had that result. Being informed that the Federal forces were distributed in several commands, the rebel council of war, held Saturday evening, resolved to advance upon Logan's place, where they hoped to surprise Thomas and his supposed small command.

On the morning of Sunday the Federal regiments were distributed as follows, at and around the cross roads at Logan's farm, viz: the Ninth Ohio and Second Minnesota on the right of the road to Hart's ford; on the left Carter's brigade; in advance of both and between them lay the Fourth Kentucky, the Tenth Indiana and Standart's and Wetmore's batteries. A section (one hundred and twenty) of Wolford's Kentucky cavalry, also stood on outpost duty in front of the Tenth Indiana. The residue of the cavalry was out on scout and picket duty. The Fourteenth Ohio and the Tenth Kentucky lay away to the north-east of the cross roads, about eight miles distance on detached duty. The force at Thomas' immediate call was, therefore, but seven regiments, three batteries and a battalion of cavalry.

Upon these, the Confederates advanced, on the morning of Sunday, January

The Rebel Advance.

19th. Under the command-in-chief of General Crittenden, they left their entrenched camp Saturday night after dark; but,



owing to the almost impassable condition of the roads, it was three o'clock Sunday morning before the rebel advance (Zollicoffer's brigade, composed of four regiments and a battery of four guns) arrived within one mile of the Federal pickets. There they halted, awaiting, in a deluge of rain, the coming up of the rest of their force under General Carroll. It was nearly seven o'clock before the Federal pickets (Wolford's cavalry) were driven in. The cavalry fell back to their lines, and reenforced to a battalion, again rode forward to engage what was supposed to be a foraging party. They advanced down the Mill Spring road to discover the enemy's heavy columns coming on over the hills. The alarm was quickly given, and a half

Battle of Mill  
Spring.

hour sufficed to dispose the entire seven Federal regiments in position to receive their not unwelcome assailants. The Tenth Indiana, under command of Lieutenant-Colonel W. C. Kise, moved forward to the support of its two companies stationed as pickets one mile in advance on the direct road to the Cumberland.\* It arrived on the ground to find the pickets hotly engaged. Colonel Kise quickly threw his force into the woods, five companies to the right of the road and five to the left. The battle then opened in earnest. The Indianians held their ground firmly and kept the infuriated enemy at bay, but suffered severely. Four rebel regiments were held by their fire for half an hour, when Colonel Kise observed cavalry flanking him on the right. He or-

\* This statement varies from General Thomas' official report. He said: "Upon my arrival on the field, I found the Tenth Indiana formed in front of their encampment, apparently awaiting orders, when I ordered them forward to the support of the Fourth Kentucky, *which was the only regiment then engaged.*" Our statement, we believe, however, to be correct. The account of every correspondent on the field gives to the Indianians the honor of being *first* in the field. Colonel Kise, in his report, explicitly narrates the movements to the field, to the support of his pickets, and he also explicitly states that he fought until his right wing was forced to retire (about half an hour) *before* the Kentuckians came to his help. Thomas' report evidently was grounded upon partial information.

dered his right wing companies to fall back upon his left. At that moment

Battle of Mill  
Spring.

the Fourth Kentucky sprung into the field uttering a shout which made the woods echo with one wild huzza. This regiment was composed of new troops, but hearts of fire burned beneath every gray coat, and they fought with unflinching fury. Their Colonel passed along the lines inspiring all by his example. These two regiments sustained the unequal conflict alone for a half hour after the Kentuckians came into the field on the Indianians' left wing; when Colonel Manson, commanding the brigade, was forced to fall slowly back to escape being outflanked. Colonel McCook's forces—the Ninth Ohio and Second Minnesota—were then thrown into the conflict, the Minnesotians occupying the ground just vacated by the retiring troops; while the Ninth Ohio, passing to the left, checked the enemy's attempted flank movement. This regiment — "McCook's own" — was composed almost wholly of Germans, and like all Teutonic regiments, knew better how to advance than to retreat. The Germans soon found themselves face to face with their foe—a small field about eighty yards wide intervening, while the rebels held a corn crib, a log house and stable in the field, only fifty yards away. In the woods beyond and along the fence bounding the field, the enemy found excellent cover, and used it with spirit. The Minnesota men, holding what then was the Federal right wing, fought with astonishing intrepidity, not only holding in check the three regiments on their front, but pressing back their lines to their first position. McCook, in his report, said:

"Along the lines of each of the regiments, and from the enemy's front a hot and deadly fire was opened. On the right wing of the Minnesota regiment the contest was, at first, almost hand to hand—the enemy and the Minnesota men poking their guns through the same fence at each other. However, before the fight continued long in this way, that portion of the enemy contending with the Second Minnesota retired in good order to some rail piles hastily thrown together—the point from which they had first advanced upon the Fourth Kentucky. This portion of the enemy obstinately maintaining its position, and the balance remaining as before described, (in front of the Ninth Ohio.) A desper-



Battle of Mill  
Spring.

ate fire was continued for about thirty minutes with seemingly doubtful result. The im-

portance of possessing the log house, stable and corn crib becoming apparent, companies A, B, C and D of the Ninth Ohio were ordered to flank the enemy's extreme left and obtain possession of the house. This done, still the enemy stood firm to his position and cover."

The Fourth Kentucky and Tenth Indiana kept the field to the last. McCook's two regiments were about in the position first held by the brigade of Colonel Manson, and from which it had been temporarily driven. But, it was only for a moment. The Kentuckians walked into the fight along with McCook's men, taking position on their left. The Tenth Indiana men were still divided, one half on each wing of the Kentuckians. The enemy appearing on the Kentucky left, General Thomas (who was on the field ordering the entire battle) directed the regiment (Tenth Indiana) to consolidate and move to that part of the field threatened. It passed promptly to the line of battle and again became obstinately engaged. After a half hour's struggle, the rebels were forced from their rail fence defense back into the woods beyond—the Indianians bayonetting some of the most obstinate of the enemy through the fence. This success was followed by the regiments again changing location, this time to the Kentucky right, where the conflict was very stubborn.

This was the moment which decided the fortunes of the day. The roar of arms was answered by the lightning and thunder of Heaven's artillery. The showers of balls went hissing and cutting through limbs and undergrowth like the deluge of rain which came down as if to wipe out the blood-stains everywhere marking the soil. The enemy's artillery (four guns) having a good position on a rise of ground beyond the field, played rapidly but harmlessly into the woods—the round shot and canister cutting the tree tops, so badly were the guns served. A section of Kinney's battery, stationed on the Fourth Kentucky's left, during the second stage of the conflict, was worked with precision, and worried the enemy's ranks wherever they appeared *en masse*.

Thus we arrive at the last stages of the battle, referred to by Thomas, in his report :

"Immediately after the regiments had gained their positions, the enemy opened a most determined and galling fire, which was returned by our troops in the same spirit, and for nearly half-an-hour the contest was maintained, on both sides, in the most obstinate manner. At this time, the Twelfth Kentucky (Colonel W. A. Haskins) and the Tennessee brigade (Carter's) reached the field to the left of the Second Minnesota, and opened their fire on the right flank of the enemy, who then began to fall back. The Second Minnesota kept up a most galling fire in front, and the Ninth Ohio charged the enemy on the right, with fixed bayonets, turned their flank and drove them from the field—their whole line giving way and retreating in the utmost confusion."

That charge of the Germans settled the strife. McCook gave the order to empty guns and fix bayonets. Then, moving along in front, he cried: "My invincible Germans, *charge!*" With a shout, the regiment to a man leaped from cover, and dashed over the field. The enemy stood but a moment. The log house, barn, &c., were abandoned—only about a score of rebels standing to be bayoneted and crushed by the advancing host. This shock caused the whole Confederate line to waver. Then the rest of the Federal line, fairly blazing in its fire, burst from cover and advanced. In a moment the rout of their foe was complete, and the battle of Mill Spring was won.\*

The pursuit was unworthy of the gallant army.

## The Pursuit.

Confessing the enemy to have retreated "in disorder," Thomas yet gave no excuse for the inefficient pursuit made. Wofford's cavalry, dismounting, had fought with efficiency in the ranks of the Tenth Indiana; their horses were, therefore, fresh. The Tennessee brigade (Carter's) was quite fresh, having fought but little and having marched but a short distance. Nor were any of the regiments most engaged too exhausted for a vigorous and dashing assault upon the flying mass. Tho-

\* This battle, like many others of the war, was misnamed. It was not fought within eight miles of Mill Spring. It should be called the *Battle of Logan's Farm*.



The Pursuit. mas stated that, as soon as the regiments could be re-formed and their cartridge boxes refilled "an advance" was ordered; but the movement, executed evidently with great military precision, was not rapid enough to do the disorganized enemy any harm, and he escaped to his White Oak creek entrenchments with no loss from pursuit. The Federal advance, early in the afternoon, came up to the entrenched camp, and, deploying in formal line-of-battle a furious cannonade was kept up until dark, by Standart's, Wetmore's and Kinney's batteries. An instantaneous assault would have secured the entire Confederate force. When Monday morning came the Federal regiments—strengthened by Schœpf's command, by the Fourteenth Ohio and the Tenth Kentucky—prepared for the assault. At the word, a simultaneous rush was made along the entire Federal line; the hills were mounted, the trenches passed, the embankments scaled, to find the camp property there but not a man for its defense. Twelve guns with caissons well filled, one battery wagon, two forges, considerable ammunition and a promiscuous quantity of small arms and muskets; one thousand mules and horses, a considerable stock of rough commissary stores; the entire camp and garrison equipage, fell into Federal hands. Their destruction would have announced to the assailants the evacuation going on; hence, all the property and *material* were left comparatively intact. The enemy had escaped over the river by the use of a *single* steamer, which, having been destroyed after it had answered for the safety of the entire rebel force, left Thomas no means of crossing for further pursuit. The rebel force then retired at leisure.

The Losses. The losses in this battle were not as severe as might have been inferred from the obstinate nature of the fight. Thomas reported his casualties as follows:

	Killed.	Wounded.
Ninth Ohio.....	6	28
Second Minnesota.....	12	33
Fourth Kentucky.....	9	52
Tenth Indiana.....	10	75
Welford's cavalry.....	3	19
Total .....	39	207

The wounded included thirteen commissioned officers. Only one commissioned officer (of Welford's cavalry) was killed.

Thomas also reported the rebel loss to be one hundred and ninety killed and left on the field, including General Zollicoffer; sixty-two wounded, left on the field, and eighty-nine prisoners not wounded. As many of the killed and wounded were borne off the field by the enemy, the above does not correctly represent the Confederate losses. The real casualties were not made public by the Confederate authorities.

The rebel forces which marched out to assail Thomas were ascertained to have been as follows:

The Rebel Force Engaged.

Under Zollicoffer: the Fifteenth Mississippi, Colonel Walthall; Nineteenth Tennessee, Colonel Cummings; Twentieth Tennessee, Captain Battle; Twenty-fifth Tennessee, Captain Stanton, and a battery of four guns, Captain Rutledge.

Under General Carroll: Seventeenth Tennessee, Colonel Newman; Twenty-eighth Tennessee, Colonel Munger; Twenty-ninth Tennessee, Colonel Powell, with a battery of two guns, Captain McClung.

The reserve consisted of the Sixteenth Alabama, Colonel Wood, and two battalions of cavalry. Two battalions moved in Zollicoffer's advance. Several independent companies of "rangers" and "mountain boys" also held a place in the advance column. All told in numbers, the force under General Crittenden, which assailed Thomas' brigades, was about ten thousand strong.

Demoralized beyond hope of reorganization, the rebels quickly retreated from their fortifications at Mill Springs, leaving no further work for Thomas, in that quarter, except to push on into East Tennessee by Pound Gap, or Walker's Gap, or by the direct route to Huntsville, passing Cumberland Gap to the west. But, the exciting nature of the campaign then progressing up the Cumberland and Tennessee rivers, impelled Buell to divert the division from further progress toward Knoxville. It soon reversed its order of march by again co-operating with the advance against Bowling Green and Nashville.



## CHAPTER V.

AFFAIRS IN THE SOUTH UP TO FEBRUARY, 1862. JEFFERSON DAVIS' MESSAGE OF NOVEMBER 18TH, 1861. ADMISSION OF MISSOURI AND KENTUCKY TO THE CONFEDERACY. IMPROPRIETY OF THE WHOLE PROCEEDING. SPIRIT OF VINDICTIVENESS IN THE SOUTH. VOICE OF THE GOVERNORS. INTERESTING REVELATIONS BY GOVERNOR LETCHER.

Fast Day. AFFAIRS in the Confederate States during the last months of the year 1861 were, if "the papers" are authority, neither hopeless nor unsatisfactory. President Davis in his proclamation setting apart November 15th as a Fast day, used the terms "fasting, *humiliation* and prayer;" but, the general tone of the invocation was one of thanks for victory won. As compared with his first proclamation for a Fast day (June 13th, 1861) the second gave evidence of a slight progress toward a consciousness of sin, for it embodied the word "humiliation." The first did not—it prayed standing; the second brought the Confederates to their knees, and, in that respect, leaves us to infer that there was less confidence in their hearts than their words of victories won would imply.

Vindictiveness toward the North. The tone of the Southern press was not improved—it literally could be no more malignant. In this it reflected the paramount feeling apparently prevalent in all white circles. From the lips of the highest and the lowest, from male and female, from old and young, burst a volcano of epithet and imprecation upon 'the Yankees' that would have been appalling to one not well versed in Southern idioms; but, that was less an evidence of devotion to their cause than of hate of rivals. For many years the growing power and prosperity of the Free States had been *resented* by an openly expressed scorn of a free society; "Yankee" became a word to imply something mean and inferior. Of

course it did not prevent the South from being dependent on that very class for their best schools, their best teachers and preachers, their best commerce and their best hopes for the future. Their terms of opprobrium simply served to indicate that undertone of scurrility and insolence which a slave ownership ever has and ever will engender. But, no matter what the cause, the effect was none the less deplorable. The vocabulary of vile terms was exhausted—new words were coined and phrases compounded—all in the endeavor to give utterance to their sentiments towards the Northern people. When words and utterance failed Southern "ladies" would spit upon such 'Yankees' as came in their way—would lift their skirts in passing that they should not be contaminated by the touch of Yankee breeches. It was laughable yet painful, proving as it did the existence of a demoralization in Southern society incompatible with personal dignity and public purity. We leave it for others to speculate on the influences which contributed to effect such a demoralization; it is enough for us to chronicle the fact of its presence.

This general defamation of the North, of the Federal Executive and of its agents was sedulously encouraged by the leaders and the press of the South, for the good reason that it filled the ranks of their army, and inspired their troops with that kind of courage which springs from hate. Keep the people up to the point of detestation and it would be easy to raise

Vindictiveness towards the North.

The Secret of it.



The Secret of it.

troops, to extort taxes, to impose burdens, and to exact obedience. For any feeling of respect toward their enemy to gain even a momentary ascendancy was worse than a defeat; hence, we are not surprised that no occasion was left unimproved where misrepresentation, defamation and false inference could avail to influence the public mind. There was reason in their madness but, alas, the people of the South did not perceive the subtle influences at work upon them.

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Jefferson Davis.

The Message of Jefferson Davis to the Confederate Congress which re-assembled in adjourned session, at Richmond, Nov. 18th, gave the Confederate views and summary of events. We may transfer it at length, that our readers may have before them the revolutionary side of the story and argument:

"TO THE CONGRESS OF THE CONFEDERATE STATES:

"The few weeks which have elapsed since your adjournment have brought us so near the close of the year that we are now able to sum up its general results. The retrospect is such as should fill the hearts of our people with gratitude to Providence, for his kind interposition in their behalf. Abundant yields have rewarded the labor of the agriculturist, whilst the manufacturing industry of the Confederate States was never so prosperous as now. The necessities of the times have called into existence new branches of manufactures, and given a fresh impulse to the activity of those heretofore in operation. The means of the Confederate States for manufacturing the necessities and comforts of life within themselves, increase as the conflict continues, and we are gradually becoming independent of the rest of the world for the supply of such military stores and munitions as are indispensable for war.

"The operations of the army, soon to be partially interrupted by the approaching winter, have afforded a protection to the country and shed a glorious luster upon its arms through the trying vicissitudes of more than one arduous campaign, which entitle our brave volunteers to our praise and gratitude. From its commencement up to the present period the war has been enlarging its proportions and expanding its boundaries so as to include new fields. The conflict now extends from the shores of the Chesapeake to the confines of Missouri and Arizona, yet sudden calls from the remotest points for military aid have been met with promptness enough not only to avert disaster in the face of superior numbers, but also to roll back the tide of invasion from

the border. When the war commenced, the enemy were possessed of certain strategic

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points and strong places in the Confederate States. They greatly exceeded us in numbers, in available resources, and in the supplies necessary for war. Military establishments had long been organized, and were completed. The navy, and, for the most part, the army, once common to both, were in their possession. To meet all this we had to create not only an army in the face of war itself, but also military establishments necessary to equip and place it in the field. It ought, indeed, to be a subject of gratulation that the spirit of the volunteer, and the patriotism of the people, have enabled us, under Providence, to grapple successfully with these difficulties.

"A succession of glorious victories, at Bethel, Bull Run, Manassas, Springfield, Lexington, Leesburg and Belmont, has checked the wicked invasion which greed of gain and the unhallowed lust of power brought upon our soil, and has proved that numbers cease to avail when directed against a people fighting for the sacred right of self-government and the privileges of freemen.

"After more than seven months of war, the enemy have not only failed to extend their occupancy of our soil, but new States and Territories have been added to our Confederacy. While, instead of their threatening march of unchecked conquest, they have been driven at more than one point to assume the defensive; and upon a fair comparison between the two belligerents as to men, military means and financial condition, the Confederate States are relatively much stronger now than when the struggle commenced. Since your adjournment, the people of Missouri have conducted the war in the face of almost unparalleled difficulties with a spirit and success alike worthy of themselves and of the great cause in which they are struggling.

"Since that time Kentucky, too, has become the theater of active hostilities. The Federal forces have not only refused to acknowledge her right to be neutral, and have insisted upon making her a party to the war, but have invaded her for the purpose of attacking the Confederate States. Outrages of the most despotic character have been perpetrated upon her people. Some of her most eminent citizens have been seized and borne away to languish in foreign prisons, without knowing who were their accusers, or the specific charges made against them, while others have been forced to abandon their homes, their families and property and seek a refuge in distant lands. Finding that the Confederate States were about to be invaded through Kentucky, and that her people, after being



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deceived into a mistaken security, were unarmed and in danger of being subjugated by the Fed-

eral forces, our armies were marched into that State to repel the enemy and prevent their occupation of certain strategic points which would have given them great advantages in the contest—a step which was not only justified by the necessity of self-defense on the part of the Confederate States, but also by a desire to aid the people of Kentucky. It was never intended by the Confederate Government to conquer or coerce the people of that State, but, on the contrary, it was declared by our generals that they would withdraw their troops if the Federal Government would do likewise. Proclamation was also made of our desire to respect the neutrality of Kentucky, and the intention to abide by the wishes of her people as soon as they were free to express their opinions. These declarations were approved by me, and I should regard it as one of the best effects of the march of our troops into Kentucky if it should aid in giving to her people liberty of choice and a free opportunity to decide their own destiny according to their own will.

“The army has been chiefly instrumental in prosecuting the great contest in which we are engaged, but the navy has also been effective in full proportion to its means. The naval officers, deprived to a great extent of an opportunity to make their professional skill available at sea, have served with commendable zeal and gallantry on shore and upon inland waters, further detail of which will be found in the reports of the Secretary of the Navy and the Secretary of War.

“In the transportation of the mails many difficulties have arisen, which will be found fully developed in the report of the Postmaster-General. The absorption of the ordinary means of transportation for the movement of troops and military supplies, the insufficiency of the rolling stock of railroads for the accumulation of business, resulting both from military operations and the obstruction of water communication by the presence of the enemy's fleet, the failure and even refusal of contractors to comply with the terms of their agreements, the difficulties inherent in inaugurating so vast and complicated a system as that which requires postal facilities for every town and village in a Territory so extended as ours, have all combined to impede the best directed efforts of the Postmaster-General, whose zeal, industry and ability, have been taxed to the utmost extent. Some of these difficulties can only be overcome by time and an improved condition of the country upon the restoration of peace, but others may be remedied by legislation, and your attention is invited to the recommendation contain-

ed in the report of the head of that department.

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“The condition of the treasury will, doubtless, be a subject of anxious inquiry on your part. I am happy to say that the financial system already adopted has worked well so far, and promises good results for the future.

“To the extent that treasury notes may be issued, the Government is enabled to borrow money without interest, and thus facilitate the conduct of the war. This extent is measured by the portion of the field of circulation which these notes can be made to occupy. The proportion of the field thus occupied depends again upon the amount of the debts for which they are receivable, and dues, not only to the Confederate but State Governments, but also to corporations and individuals, are payable in this medium. A large amount of it may be circulated at par. There is every reason to believe that the Confederate treasury note is fast becoming such a medium. The provision that these notes shall be convertible into Confederate stock, bearing eight per cent. interest, at the pleasure of the holder, insures them against a depreciation below the value of that stock, and no considerable fall in that value need be feared, so long as the interest shall be punctually paid. The punctual payment of this interest has been secured by the act passed by you at the last session, imposing such a rate of taxation as must provide sufficient means for that purpose.

“For the successful prosecution of this war it is indispensable that the means of transporting troops and military supplies be furnished, as far as possible, in such manner as not to interrupt the commercial intercourse between our people, nor place a check upon their productive energies. To this end the means of transportation from one section of our country to the other must be carefully guarded and improved; and this should be the object of anxious care on the part of the State and Confederate Governments, so far as they have power over the subject. We have already two main systems of through transportation from north to south. One from Richmond, along the seaboard; the other through Western Virginia to New Orleans. A third might be secured by completing a link of about forty miles between Danville, in Virginia, and Greenborough, North Carolina. The construction of this comparatively short line would give us a through route from north to south in the interior of the Confederate States, and give us access to a population and to military resources from which we are now in a great measure debarred. We should increase greatly the safety and capacity of our means for transporting men and military supplies. If the construction of the road should, in the judgment of Congress, as it is in



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mine, be indispensable for the most successful prosecution of the war, the action of the Government will not be restrained by the constitutional objection which would attach to a work for commercial purposes; and attention is invited to the practicality of securing its early completion by giving the needful aid to the company organized for its construction and administration.

"If we husband our means and make a judicious use of our resources, it would be difficult to fix a limit to the period during which we could conduct a war against the adversary whom we now encounter. The very efforts which he makes to desolate and invade us must exhaust his means, whilst they serve to complete the circle and diversify the productions of our industrial system. The reconstruction which he seeks to effect by arms becomes daily more and more palpably impossible. Not only do the causes which induced us to separate still last in full force, but they have been strengthened, and whatever doubt may have lingered on the minds of any must have been completely dispelled by subsequent events. If, instead a dissolution of a league, it were indeed a rebellion in which we are engaged, we might find ample vindication for the course we have adopted in the scenes which are now being enacted in the United States.

"Our people now look with contemptuous astonishment on those with whom they have been so recently associated. They shrink with aversion from the bare idea of renewing such a connection.

"When they see a President making war without the assent of Congress—when they behold judges, threatened because they maintain the writ of *habeas corpus*, so sacred to freemen—when they see justice and law trampled under the armed heel of military authority, and upright men and innocent women dragged to distant dungeons—when they find all this tolerated and applauded by a people who had been in the full enjoyment of freedom but a few months ago, they believe that there must be some radical incompatibility between such a people and themselves. With such a people we may be content to live at peace, but our separation from them is final; for the independence we have asserted we will accept no alternative.

"The nature of the hostilities which they have waged against us must be characterized as barbarous whenever it is understood. They have bombarded undefended villages, without giving notice to women and children to enable them to escape, and in one instance selected the night as the period when they might surprise them most effectually whilst asleep and unconscious of danger. Arson and rapine, the destruction of private houses and proper-

ty, and injuries of the most wanton character, even upon non-combatants, have marked their

forays along the borders and upon our territory. We ought to have been admonished by these things that they were disposed to make war upon us in the most cruel and relentless spirit, yet we were not prepared to see them fit out a large naval expedition with the confessed purpose not only to pillage, but to incite a servile war in our midst.

"If they convert their soldiers into incendiaries and robbers, and involve us in a species of war which claims non-combatants—women and children—as its victims, they must expect to be treated as outlaws and enemies of mankind.

"There are certain rights of humanity which are entitled to respect even in war, and he who refuses to regard them forfeits his claim if captured, to be considered a prisoner of war, and must expect to be dealt with as an offender against all law, human and divine.

"But not content with violating our rights under the law of nations at home, they have extended these injuries to us within other jurisdictions. The distinguished gentlemen, whom, with your approval at the last session, I commissioned to represent the Confederacy at certain foreign courts, have been recently seized by the captain of a United States ship-of-war while on board a British mail steamer on their voyage from the neutral Spanish port of Havana to England. The United States have thus claimed a general jurisdiction over the high seas, and entering a British ship, sailing under its country's flag, violated the rights of embassy, for the most part held sacred, even among barbarians, by siezing ministers whilst under the protection and within the dominions of a neutral nation. These gentlemen were as much under the jurisdiction of the British Government, upon that ship and beneath that flag, as if they had been on its soil, and a claim on the part of the United States to seize them in the streets of London would have been as well founded as that to apprehend them where they were taken. Had they been malefactors, and citizens even of the United States, they could not have been arrested on a British ship or on British soil, unless under the express provisions of a treaty, and according to the forms therein provided for the next extradition of criminals. But rights the most sacred seem to have lost all respect in their eyes.

"When Mr. Faulkner, a former minister of the United States to France, commissioned before the secession of Virginia, his native State, returned in good faith to Washington to settle his accounts and fulfil all the obligations into which he had entered, he was perfidiously arrested and imprisoned in New

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York, where he now is. The unsuspecting confidence with which he reported to his Gov-

ernment was abused, and his desire to fulfil his trust to them was used to his injury.

"In conducting this war, we have sought no aid and proffered no alliances offensive and defensive abroad. We have asked for a recognized place in the family of nations; but, in doing so, we have demanded nothing for which we did not offer a fair equivalent. The advantages of intercourse are mutual among nations, and in seeking to establish diplomatic relations we were only endeavoring to place that intercourse under the regulation of public law.

"Perhaps we had the right, if we had chosen to exercise it, to ask to know whether the principle, that blockades to be binding must be effectual, so solemnly announced by the great powers of Europe at Paris, is to be generally enforced or applied only to particular parties.

"When the Confederate States, at your last session, became a party to the declaration reaffirming this principle of international law, which has been recognized so long by publicists and governments, we certainly supposed that it was to be universally enforced. The customary law of nations is made up of their practice rather than their declarations, and if such declarations are only to be enforced in particular instances at the pleasure of those who make them, then the commerce of the world, so far from being placed under the regulation of a general law, will become subject to the caprice of those who execute it or suspend it at will. If such is to be the course of nations in regard to this law, it is plain that it will thus become a rule for the weak and not for the strong.

"Feeling that such views must be taken by the neutral nations of the earth, I have caused the evidence to be collected which proves completely the utter inefficiency of the proclaimed blockade of our coast, and shall direct it to be laid before such governments as shall afford us the means of being heard.

"But although we should be benefitted by the enforcement of this law, so solemnly declared by the great powers of Europe, we are not dependent on that enforcement for the successful prosecution of the war. As long as hostilities continue the Confederate States will exhibit a steady increasing capacity to furnish their troops with food, clothing and arms. If they should be forced to forego many of the luxuries and some of the comforts of life, they will at least have the consolation of knowing that they are thus daily becoming more and more independent of the rest of the world. If, in this process,

labor in the Confederate States should be gradually diverted from those great southern sta-

ples which have given life to so much of the commerce of mankind into other channels, so as to make them rival producers, instead of profitable customers, they will not be the only or even the chief losers by this change in the direction of their industry.

"Although it is true that the cotton supply from the Southern States could only be totally cut off by the subversion of our social system, yet it is plain that a long continuance of this blockade might, by a diversion of labor and investment of capital in other employments, so diminish the supplies as to bring ruin upon all those interests of foreign countries which are dependent on that staple. For every laborer who is diverted from the culture of cotton in the South, perhaps four times as many elsewhere, who have found subsistence in the various employments growing out of its use, will be forced also to change their occupation.

"While the war which is waged to take from us the right of self-government can never attain that end, it remains to be seen how far it may work a revolution in the industrial system of the world, which may carry suffering to other lands as well as to our own.

"In the meantime, we shall continue this struggle in humble dependence upon Providence, from whose searching scrutiny we cannot conceal the secrets of our hearts, and to whose rule we confidently submit. For the rest we shall depend upon ourselves.

"Liberty is always won where there exists the unconquerable will to be free, and we have reason to know the strength that is given by a conscious sense not only of the magnitude but of the righteousness of our cause.

"JEFFERSON DAVIS.

"Richmond, Nov. 18th, 1861."

This document possessed a double interest—for what it said and for what it left

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unsaid. In the first place there was no call for it—as the Confederate "Congress" was yet in old session. It was issued mainly and chiefly for a foreign market. The dispatch of special agents to Europe was to further the cause of intervention, or, at least, of recognition. Their arrest on the high seas sent a thrill of disappointment throughout the South which soon gave place to a thrill of hope that the arrest would embroil the Federal Government with England. The mes-



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sage made a bid, at the propitious moment, for the Queen's and Emperor's favor. Its tone of pious confidence in the ways of Providence—its calm audacity in misstatement and misconstruction—its spirit of defiance toward the Federal Government—its suppression of the truth in regard to the progress of the Federal arms—all were harmless in American circles, and, equally so in European circles when the whole truth became known; but, the document served its temporary purpose of inspiring Davis' friends abroad to renewed exertions in behalf of the embryo Slave Republic, and that was the secret of its promulgation.

Doings of the Con-  
gress.

The Confederate Congress still sat in secret session. No legislation of any public importance was done openly. All was a Star Chamber to the people, who only knew of what had been done for them, or to them, when the laws were promulgated for their enforcement. The Czar of the Russias never exercised a more autocratic prerogative over the serfs of his realm than the Congress of the South over the Southern people. That the entire parliament was a mockery, will appear from the confessions of Southern journals. Thus the *Richmond Dispatch* of November 28th, said:

"The Provisional Congress still holds its sessions with closed doors, and we are unable to furnish our readers with any detail of the proceedings. The President sent in on Tuesday a message concerning the secession of Missouri. It was accompanied by an able letter from Governor Jackson, and also by an act dissolving the Union with the United States, and an act ratifying the Constitution of the Provisional Government of the Confederate States; also, the Convention between the Commissioners of Missouri and the Commissioners of the Confederate States. Congress unanimously ratified the Convention entered into between the Hon. R. M. T. Hunter, for this Government, and the commissioners for Missouri. On yesterday we understand that Congress passed a law admitting Missouri into the Confederacy. Congress refused to make any advances on, or the purchase of, the produce of planters, and much surprise was expressed that such a proposition should have been made."

This "secession" of Missouri illustrates our inferences regarding the usurpation of power

practiced by a few men. The announcement made above was the first knowledge the great mass of the Missouri people had of their State's secession! It answered the purpose of strengthening the Confederate "Congress" by the addition of several self-constituted "members" from Missouri, and the State, therefore, was in the Southern Confederacy whether the people would or not. What sublime assurance—what infamous disregard of the first principles of republican government!

December 11th another batch of laws passed in secret session was made public, when the world was informed that Kentucky was, also, a member of the Confederacy—admitted to full equality with the other States of the Confederation. Here, again came "Satan's gospel doubly sealed." The Russellville Convention, [see page 420,] composed of about forty renegades from loyalty, instituted a "provisional government," elected a Governor and Council, and these *eleven* functionaries, in turn, elected Kentucky's members to the Confederate Congress. These members, thus delegated, were received "upon an equal footing" with the representatives of other States, and Kentucky became a constituent of the Southern Confederacy.

It will be a painful task for any State Rights advocate to give the Confederate Congress a legal *status* even under the State sovereignty doctrine. It was, in no manner, chosen by the people; it was, in a great measure, self-constituted, and, in its inflexible *secret* legislation, ignored States as well as the people. If the States were sovereign, it was supreme; if "provisional," it arrogated permanent power. Embittered by designing leaders, inflamed by a wicked press, misinformed, misdirected, the people of the South gave themselves over to the tyranny of Conventions and Congress, to become instruments for their own persecution.

A Reign of Ty-  
ranny.

\* See Appendix, page —, for the Report of the Special Committee, appointed by the Virginia State Convention, to consider and report amendments to the State Organic law. This document, startling as were its recommendations and views, *fully represented* the influence *paramount* in every Southern State Convention and in the Confederate Congress.



Yet, the Southern Executive and his agents incessantly reviled the President and Congress of the United States for their "usurpations and their disregard of the Constitution!" It was Satan anathematizing Gabriel.

Danton, being asked to define the best policy to insure the success of the French Revolution, answered: "*Be audacious!*" The Southern leaders had learned a lesson from Danton.

We need not refer to the Southern Currency. legislation of the Confederate Congress up to the date of Davis' installation, (February 22d, 1862.) It was chiefly devoted to strengthening the hands of the Government and the War Department. The utter failure of its schemes for raising means—of the "National Loan" fund, the Cotton and Produce loan fund, &c.—compelled the direct resort to Government issues of script, bonds and demand notes, in quantities to meet the requirements of their exchequer. These were floated if not funded, and their value soon became apparent in the rise of every species of property except that of slaves and taxable estate. These appeared to depreciate in price, in proportion to their liability, the first to escape and the second to taxation. The blockade had little to do with the prices of home produce. That soon reached enormous prices—in Confederate money, reminding us of the days when a hat full of Continental currency was paid for dinner.

The messages of Governors Letcher, of Virginia (Dec. 2d), Brown, of Georgia (Nov. 9th), Moore, of Louisiana (Nov. 28th), and the inaugural address of Pettus, of Mississippi, of Pickens, of South Carolina, (November 10)—all breathed the spirit of resistance to the utmost extremity. Some of the revelations made by Letcher were particularly significant, as showing that the Southern leaders had, as early as the summer of 1860, resolved upon their course; and, so far as secrecy would permit, had prepared the *materiel* for a

successful defense against coercion. He said:

"For this struggle, so suddenly commenced, Virginia had for some time been making such preparations her means enabled her to make; and although she

was not so well prepared as was desirable, still she was better prepared than most of her Southern sisters—better perhaps than any one of them. *For some time anterior to the secession she had been engaged in the purchase of arms of different kinds, ammunition, and other necessary articles, and in mounting artillery, in anticipation of the event which subsequently occurred.*

\* \* \* "Prior to the secession of the State, indeed, from the commencement of my Gubernatorial term, I used all proper means within my reach, aided and supported by the military commission, to prepare the State for defense. \* \* \* In answer to this recommendation, the General Assembly appropriated one hundred and eighty thousand dollars in bonds, to be expended in the purchase of arms, equipments and munitions of war. If we could then have purchased all the arms which we desired to obtain, our State would have been in better condition to repel the assaults of the Federal Executive. *At the time we made the purchase of five thousand muskets from the Federal Government we desired to purchase ten thousand additional, but the authorities declined to sell them to us, although five times the number were then in the Arsenal at Washington.*"

These "purchases" were, it will be understood, in *addition* to the large amount of arms in the Arsenal, supplied by the Federal Government. Secretary of War, Floyd, was busy during the spring and summer of 1860 in dispatching to the Southern State Arsenals their quotas for 1861 as well as for 1860. Evidence, also, is not wanting to show that, during the summer of 1860, not only State authorities but leading men of the South made large purchases in the North of rifles, revolvers and English muskets. These purchases were very secretly made, and the amount of arms so secured may never be correctly ascertained; but, that it was large was evident from the generous supply of good field arms held by the several rebellious States at the moment their quotas were put in service. Of artillery only a small supply was available until the Harper's Ferry seizure and the Norfolk (Gosport) Navy Yard disaster placed the rebels in possession of a superb field and fort armament. So inefficient was the destruction of property at Norfolk that Governor Letcher confessed the great portion of the *ammunition* "used in the war" was secured there. That Norfolk "disaster" certainly was a God-send to the rebels. Without it the entire South could not have mustered a dozen efficient batteries over and above what was



Interesting Revelations.

secured in the seized forts and arsenals, but which were required for local defense.

The Governor, as if to ease his mind of its load of secrets, also confessed to his designs against Fortress Monroe, where the vigilant and resolute Colonel Dimmick was in command, much to the discomfiture of treason. He said:

*"It is to be regretted that Fortress Monroe is not in our possession; that it was not as easily captured as the Navy Yard and Harper's Ferry. As far back as the 8th of January last, I consulted with a gentleman whose position enabled him to know the strength of that fortress, and whose experience in military matters enabled him to form an opinion as to the number of men that would be required to capture it. He represented it to be one of the strongest fortifications in the world, and expressed his doubts whether it could be taken, unless assailed by water as well as by land, and simultaneously. He stated, emphatically and distinctly, that*

*with the force then in the Fortress, it would be useless to attempt its capture without a large force thoroughly equipped and well appointed. At a time previous to the secession of Virginia had we a military organization sufficient to justify an attempt to take it, and events since that occurrence demonstrate very clearly that with our military organization since, and now existing, it has not been deemed prudent to make the attempt."*

As Virginia did not secede until April 17th 1861, the Governor's confessions are refreshingly redolent of the treason which presided over Virginia's destiny. Macbeth's witch would have to learn new powers of incantation to preside fittingly over the artifice and diabolism which the conspirators against the General Government practiced in the incipient stages of the revolution. Were the Great Poet now alive with what zest would his quick intuitions seize upon the conspirator for his *dramatis personæ*!

## CHAPTER VI.

MEETING OF THE FEDERAL CONGRESS (DECEMBER, 1861.) THE ANTI SLAVERY ELEMENT. MR. LINCOLN'S CONSERVATISM. THE PRESIDENT'S MESSAGE AND DEPARTMENT REPORT. LEGISLATION OF THE SESSION.

Assemblage of Congress.

THE Federal Congress (XXXVII. 2d Session) assembled at Washington, Monday, December 2d, 1861. Its organization was not followed by the reception of the President's annual Message and the accompanying department reports. The delay in their transmission was understood to arise from the discovery, in the Report of the Secretary of War, of passages enunciating a policy in regard to slaves fleeing to the Federal lines, which the Executive was not ready to adopt. A cabinet meeting was called on the subject, Monday afternoon, at which the President expressed his dissent. Mr. Cameron regarded his original recommendations of vital importance and is reported to have been unwilling to modify them. Whereupon Mr. Lincoln, it

is understood, "assumed the responsibility," and himself modified the report, excising its entire conclusion and substituting in its stead the closing paragraph as it was submitted to Congress.

Assemblage of Congress.

The first day's session made manifest a strong set of the current in the direction of negro emancipation and confiscation of rebel estates. Cameron's original report, in a great degree, represented this feeling, and became its official exponent. When it was ascertained that the President had determined to make a stand against the "radical" program, the two Houses betrayed unmistakeable signs of the ferment to follow. In the Senate, Trumbull, of Illinois, as spokesman of the State which Mr. Lincoln called his own, g



Assemblage of Congress.

notice of a resolution to confiscate the property of persons in rebellion and to give freedom to persons in the Slave States. In the House, several resolutions looking to the same end were offered. The spirit of anti-slavery, taking alarm at the slow progress of our arms, and viewing the 'peculiar institution' as the right hand of the rebellion, had silently yet decidedly gathered its forces for an assault upon the "Border State policy," which aimed to prosecute the war so as to leave slavery unharmed. Here came the shadow of a palpable issue; and the President soon found opponents to his "conservative" policy even in those who were his supporters in a vigorous prosecution of the war. The second session of the Thirty-seventh Congress therefore assumes an importance in the history of the war second only to the memorable session of 1860-61. It inaugurated the great movement which, while it made the war one for the restoration of the Union to its old integrity and solidarity, also made it a war against the principle of human slavery. Though not avowed, this yet was the actual, form which the opposition to the Border State policy assumed; and it consummated its final triumph in the passage of the Emancipation act of 1862, and the issue of the Decree of January 1st, 1863.

The President's Message.

The Message and reports were sent in on the morning of December 3d. We subjoin such portions of these documents as have historical significance and value:

"In the midst of unprecedented political troubles, we have cause of great gratitude to God for unusual good health and most abundant harvests.

"You will not be surprised to learn that, in the peculiar exigencies of the times, our intercourse with foreign nations has been attended with profound solicitude, chiefly turning upon our own domestic affairs. A disloyal portion of the American people have, during the whole year, been engaged in an attempt to divide and destroy the Union. A nation which endures factious domestic divisions is exposed to disrespect abroad, and one party, if not both, is sure, sooner or later, to invoke foreign intervention. Nations, thus tempted to interfere, are not always able to resist the counsels of seeming expediency and ungenerous ambition, although measures adopted under such influences seldom fail to

be unfortunate and injurious to those adopting them. The disloyal citizens of the United

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States, who have offered the ruin of our country in return for the aid and comfort they have invoked abroad, have received less patronage and encouragement than they probably expected. If it were just to suppose, as the insurgents have seemed to assume, that foreign nations in this case, discarding all moral, social and treaty obligations, would act solely and selfishly for the most speedy restoration of commerce, including, especially, the acquisition of cotton, those nations appear as yet not to have seen their way to their object more directly or clearly through the destruction than through the preservation of the Union. If we could dare to believe that foreign nations are actuated by no higher principle than this, I am quite sure a second argument could be made to show them that they can reach their aim more readily and easily by aiding to crush this rebellion than by giving encouragement to it. The principal lever relied on by the insurgents for exciting foreign nations to hostility against us, as already intimated, is the embarrassment of commerce. Those nations, however, not improbably saw from the first that it was the Union which made as well our foreign as our domestic commerce. They can scarcely have failed to perceive that the effort for disunion produces the existing difficulty, and that one strong nation promises more durable peace, and a more extensive, valuable and reliable commerce, than can the same nation broken into hostile fragments.

"It is not my purpose to review our discussions with foreign States, because, whatever might be their wishes or dispositions, the integrity of our country and the stability of our Government mainly depend, not upon them, but on the loyalty, virtue, patriotism and intelligence of the American people. The correspondence itself, with the usual reservations, is herewith submitted. I venture to hope it will appear that we have practiced prudence and liberality toward foreign powers, averting causes of irritation, and, with firmness, maintaining our own rights and honor. Since, however, it is apparent that here, as in every other State, foreign dangers necessarily attend domestic difficulties, I recommend that adequate and ample measures be adopted for maintaining the public defenses on every side. While, under this general recommendation, provision for defending our coast line readily occurs to the mind, I also, in the same connection, ask the attention of Congress to our great lakes and rivers. It is believed that some fortifications and depots of arms and munitions, with harbor and navigation improvements, at well-selected points upon



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these, would be of great importance to the National defense and preservation.

"I ask attention to the views of the Secretary of War, expressed in his Report, upon the same general subjects.

"I deem it of importance that the loyal regions of East Tennessee and Western North Carolina be connected with Kentucky and other faithful parts of the Union by railroad; I therefore recommend, as a military measure, that Congress provide for the construction of such road as speedily as possible.

"Kentucky will, no doubt, co-operate, and, through her Legislature, make the most judicious selection of a line. The Northern terminus must connect with some existing railroad, and, whether the route shall be from Lexington or Nicholasville to the Cumberland Gap, or from Lebanon to the Tennessee line in the direction of Knoxville, or on some still different line, can easily be determined. Kentucky and the General Government co-operating, the work can be completed in a very short time, and when done it will be not only of vast present usefulness, but also a valuable, permanent improvement, worth its cost in all the future.

"Some treaties, designed chiefly for the interests of commerce, and having no grave political importance, have been negotiated, and will be submitted to the Senate for their consideration. Although we have failed to induce some of the commercial powers to adopt a desirable melioration of the rigor of maritime war, we have removed all obstructions from the way of this humane reform, except such as are merely of temporary and accidental occurrence. I invite your attention to the correspondence between her Britannic Majesty's Minister, accredited to this Government, and the Secretary of State, relative to the detention of the British ship *Perthshire*, in June last, by the United States steamer *Massachusetts*, for a supposed breach of the blockade. As this detention was occasioned by an obvious misapprehension of the facts, and as justice requires that we should commit no belligerent act not founded in strict right as sanctioned by public law, I recommend that an appropriation be made to satisfy the reasonable demand of the owners of the vessel for her detention. \* \* \*

"By the act of the 5th of August last, Congress authorized the President to instruct the commanders of suitable vessels to defend themselves against and to capture pirates. This authority has been exercised in a single instance only. For the more effectual protection of our extensive and valuable commerce in the Eastern seas, especially, it seems to me that it would also be advisable to authorize

the commanders of sailing vessels to recapture any prizes which pirates may make of

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United States vessels and their cargoes, and the Consular Courts established by law in Eastern countries to adjudicate the cases, in the event that this should not be objected to by the local authorities.

\* \* \*

"The operations of the Treasury during the period which has elapsed since your adjournment, have been conducted with signal success. The patriotism of the people has placed at the disposal of the Government the large means demanded by the public exigencies. Much of the National loan has been taken by citizens of the industrial classes, whose confidence in their country's faith, and zeal for their country's deliverance from its present peril, have induced them to contribute to the support of the Government the whole of their limited acquisitions. This fact imposes peculiar obligations to economy in disbursement and energy in action.

"The revenue from all sources, including loans, for the financial year ending on the 30th of June, 1861, was \$6,835,900.27, and the expenditures for the same period, including payments on account of the public debt, were \$4,578,834.47, leaving a balance in the Treasury on the 1st of July, of \$2,257,065.80. For the first quarter of the financial year ending on the 30th of September, 1861, the receipts from all sources, including the balance of July 1st, were \$102,532,509.27, and the expenses \$98,239,733.09, leaving a balance on the 1st of October, 1861, of \$4,292,776.18.

"Estimates for the remaining three quarters of the year, and for the financial year of 1863, together with his views of the ways and means for meeting the demands contemplated by them, will be submitted to Congress by the Secretary of the Treasury. It is gratifying to know that the expenses made necessary by the rebellion are not beyond the resources of the loyal people, and to believe that the same patriotism which has thus far sustained the Government will continue to sustain it till peace and union shall again bless the land.

"I respectfully refer to the report of the Secretary of War for information respecting the numerical strength of the army, and for recommendations having in view an increase of its efficiency, and the well being of the various branches of the service intrusted to his care. It is gratifying to know that the patriotism of the people has proved equal to the occasion, and that the number of troops tendered greatly exceeds the forces which Congress authorized me to call into the field. I refer with pleasure to those portions of his report which make



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allusion to the creditable degree of discipline already attained by our troops, and to

the excellent sanitary condition of the entire army. The recommendation of the Secretary for an organization of the militia upon a uniform basis is a subject of vital importance to the future safety of the country, and is commended to the serious attention of Congress. The large addition to the regular army, in connection with the defection that has so considerably diminished the number of its officers, gives peculiar importance to his recommendation for increasing the corps of Cadets to the greatest capacity of the Military Academy.

\* \* \* \* \*

"The Report of the Secretary of the Navy presents in detail the operations of that branch of the service, the activity and energy which have characterized its administration, and the results of measures to increase its efficiency and power. Such have been the additions, by construction and purchase, that it may almost be said a Navy has been created and brought into service since our difficulties commenced. Beside blockading our extensive coast, squadrons, larger than ever before assembled under our flag, have been put afloat, and performed deeds which have increased our naval renown.

"I would invite special attention to the recommendation of the Secretary for a more perfect organization of the Navy, by introducing additional grades in the service. The present organization is defective and unsatisfactory, and the suggestions submitted by the Department will, it is believed, if adopted, obviate the difficulties alluded to, promote the harmony and increase the efficiency of the Navy.

\* \* \* \* \*

"One of the unavoidable consequences of the present insurrection is the entire suppression in many places of all ordinary means of administering civil justice by the officers and in the forms of existing law. This is the case in whole or in part in all the insurgent States, and as our armies advance upon and take possession of parts of those States, the practical evil becomes more apparent. There are no courts nor officers to whom the citizens of other States may apply for the enforcement of their lawful claims against citizens of the insurgent States, and there is a vast amount of debt constituting such claims. Some have estimated it as high as \$200,000,000, due in large part from insurgents, in open rebellion, to loyal citizens, who are even now making great sacrifices in the discharge of their patriotic duty to support the Government. Under these circumstances I have been urgently solicited to establish by military power courts to administer summary justice in such cases. I have thus far declined

to do it, not because I had any doubt that the end proposed, the collection of the debts, was just

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and right in itself, but because I have been unwilling to go beyond the pressure of necessity in the unusual exercise of power. But the powers of Congress, I suppose, are equal to the anomalous occasion; and therefore I refer the whole matter to Congress, with the hope that a plan may be devised for the administration of justice in all such parts of the insurgent States and Territories as may be under the control of this Government, whether by a voluntary return to allegiance and order, or by the power of our arms; this, however, not to be a permanent institution, but a temporary substitute, and to cease as soon as the ordinary courts can be reestablished in peace.

"It is important that some more convenient means should be provided, if possible, for the adjustment of claims against the Government, especially in view of their increased number by reason of the war. It is as much the duty of the Government to render prompt justice against itself in favor of citizens, as it is to administer the same between private individuals.

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"I ask attention to the report of the Postmaster General, the following being a summary statement of the condition of the Department:

"The revenue from all sources during the fiscal year, ending June 30, 1861, including the annual permanent appropriation of \$700,000 for the transportation of free mail matter, was \$9,049,296.40, being about two per cent. less than the revenue for 1860. The expenditures were \$13,606,759.11, showing a decrease of more than eight per cent. as compared with those of the previous year, and leaving an excess of expenditures over the revenue for the last fiscal year of over \$4,557,462.71. The gross revenue for the year ending June 30, 1863, is estimated at an increase of four per cent. on that of 1861, making \$8,683,000, to which should be added the earnings of the department carrying free matter, viz: \$700,000, making \$9,383,000. The total expenditures for 1863 are estimated at \$12,528,000, leaving an estimated deficiency of \$3,145,000, to be supplied from the treasury, in addition to the permanent appropriation.

"The present insurrection shows, I think, that the extension of this District across the Potomac river, at the time of establishing the Capital here, was eminently wise; and, consequently, that the relinquishment of that portion of it which lies within the State of Virginia was unwise and dangerous. I submit for your consideration the expediency of regaining that part of the District, and the restoration of



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the original boundaries thereof through negotiations with the State of Virginia.

"The report of the Secretary of the Interior, with the accompanying documents, exhibits the condition of the several branches of the public business pertaining to that department. The depressing influences of the insurrection have been especially felt in the operations of the Patent and General Land Offices. The cash receipts from the sales of public lands during the past year have exceeded the expenses of our land system only about \$200,000. The sales have been entirely suspended in the Southern States, while the interruptions to the business of the country, and the diversion of large numbers of men from labor to military service, have obstructed settlements in the new States and Territories of the northwest. The receipts of the Patent Office have declined in nine months about \$100,000, rendering a large reduction of the force employed necessary to make it self-sustaining.

"The demands upon the Pension Office will be largely increased by the insurrection. Numerous applications for pensions based upon the casualties of the existing war, have already been made. There is reason to believe that many who are now upon the pension rolls and in receipt of the bounty of the Government, are in the ranks of the insurgent army, or giving them aid and comfort. The Secretary of the Interior has directed a suspension of the payment of the pensions of such persons, upon proof of their disloyalty. I recommend that Congress authorize that officer to cause the names of such persons to be stricken from the pension rolls.

"The relations of the Government with the Indian tribes have been greatly disturbed by the insurrection, especially in the Southern superintendency and in that of New Mexico. The Indian country south of Kansas is in possession of the insurgents from Texas and Arkansas. The Agents of the United States, appointed since the 4th of March for this superintendency, have been unable to reach their posts, while the most of those who were in office before that time, have espoused the insurrectionary cause and assume to exercise the power of agents by virtue of commissions from the insurrectionists. It has been stated in the public press that a portion of these Indians have been organized as a military force, and attached to the army of the insurgents. Although the Government has no official information upon the subject, letters have been written to the Commissioner on Indian Affairs by several prominent chiefs, giving assurances of their loyalty to the United States, and expressing a wish for the presence of the Federal troops to protect them. It is believed that, upon the repossession of the coun-

try by the Federal forces, the Indians will rapidly cease all hostile demonstrations, and resume their former relations to the Government.

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"The execution of the laws for the suppression of the African slave trade has been confided to the Department of the Interior. It is a subject of congratulation that the efforts which have been made for the suppression of this inhuman traffic have been recently attended with unusual success. Five vessels being fitted out for the slave trade have been seized and condemned. Two mates engaged in the trade and one person in equipping a vessel as a slaver have been convicted and subjected to the penalty of fine and imprisonment, and one captain taken with a cargo of Africans on board his vessel, has been convicted of the highest grade of offense under our laws, the punishment of which is death.

"The Territories of Colorado, Dakota and Nevada, created by the last Congress, have been organized, and civil administration has been inaugurated therein under auspices especially gratifying when it is considered that the haven of treason was found existing in some of these new countries when the Federal officers arrived there. The abundant natural resources of these Territories, with the security and protection afforded by organized Government, will doubtless invite to them a large immigration when peace shall restore the business of the country to its accustomed channels. I submit the resolutions of the Legislature of Colorado, which evidence the patriotic spirit of the people of that Territory. So far, the authority of the United States has been upheld in all the Territories, as it is hoped it will be in the future. I commend their interests and defense to the enlightened and generous care of Congress.

"I recommend to the favorable consideration of Congress the interests of the District of Columbia. The insurrection has been the cause of much suffering and sacrifice to its inhabitants, and, as they have no representative in Congress, that body should not overlook their just claims upon the Government.

\* \* \* \* \*

"Under and by virtue of the act of Congress, entitled an act to confiscate property used for insurrectionary purposes, approved August 6th, 1861, the legal claims of certain persons to the labor and services of certain other persons have become forfeited, and numbers of the latter, thus liberated, are already dependent on the United States, and must be provided for in some way. Beside this, it is not impossible that some of the States will pass similar enactments for their own benefit respectively, and by the operation of which persons of the



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same class will be thrown upon them for disposal. In such case, I recommend that Con-

gress provide for accepting such persons from such States according to some mode of valuation in *lieu probanto* of direct taxes, or upon some other plan to be agreed upon with such States respectively that such persons, on such acceptance by the General Government, be at once deemed free, and that in any event steps be taken for colonizing both classes, or the one first mentioned if the other shall not be brought into existence, at some place or places in a climate congenial to them. It might be well to consider, too, whether the free colored people already in the United States could not, so far as individuals may desire, be included in such colonization. To carry out the plan of colonization, may involve the acquiring of territory, and also the appropriation of money beyond that to be expended in the territorial acquisition. Having practiced the acquisition of territory for nearly sixty years, the question of Constitutional power to do so is no longer an open one with us. The power was at first questioned by Mr. Jefferson, who, however, in the purchase of Louisiana, yielded his scruples on the plea of great expediency. If it be said that the only legitimate object of acquiring territory is to furnish homes for white men, this measure effects that object, for the emigration of colored men, leaves additional room for white men remaining or coming here. Mr. Jefferson, however, placed the importance of procuring Louisiana more on political and commercial ground, than on providing room for population. On this whole proposition, including the appropriation of money with the acquisition of territory, does not the expediency amount to absolute necessity that without which the Government cannot be perpetuated if the war continues?

"In considering the policy to be adopted for suppressing the insurrection, I have been anxious and careful that the inevitable conflict for this purpose shall not degenerate into a violent and remorseless revolutionary struggle. I have, therefore, in every case, thought it proper to keep the integrity of the Union prominent as the primary object of the contest on our part, leaving all questions which are not of vital military importance to the more deliberate action of the Legislature. In the exercise of my best discretion, I have adhered to the blockade of the ports held by the insurgents instead of putting in force by proclamation the law of Congress enacted, at the late session, for closing those ports. So also obeying the dictates of prudence as well as the obligations of law, instead of transcending, I have adhered to the act of Congress to confiscate property used for insurrectionary purposes. If a new

law upon the same subject shall be proposed, its propriety will be duly considered.

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*The Union must be preserved*, and hence all indispensable means must be employed. We should not be in haste to determine that radical and extreme measures, which may reach the loyal as well as the disloyal, are indispensable.

"The Inaugural Address at the beginning of the Administration and the Message to Congress at the late special session, were both mainly devoted to the domestic controversy out of which the insurrection and consequent war have sprung. Nothing now occurs to add to or subtract from the principles or general purposes stated and expressed in those documents. The last ray of hope for preserving the Union peaceably, expired at the assault upon Fort Sumter, and a general review of what has occurred since may not be unprofitable. What was painfully uncertain then is much better defined and more distinct now, and the progress of events is plainly in the right direction. The insurgents confidently claimed a strong support from north of Mason and Dixon's line, and the friends of the Union were not free from apprehension on the point. This, however, was soon settled definitely, and on the right side. South of the line, noble little Delaware led off right from the first. Maryland was made to seem against the Union; our soldiers were assaulted, bridges were burned, and railroads torn up within her limits, and we were many days at one time without the ability to bring a single regiment over her soil to the capital. Now, her bridges and railroads are repaired and open to the Government. She already gives seven regiments to the cause of the Union, and none to the enemy; and her people, at a regular election, have sustained the Union by a larger majority, and a larger aggregate vote than they ever before gave to any candidate on any question. Kentucky, too, for some time in doubt, is now decidedly, and, I think, unchangeably, ranged on the side of the Union. Missouri is comparatively quiet, and I believe cannot again be overrun by the insurrectionists. These three States of Maryland, Kentucky and Missouri, neither of which would promise a single soldier at first, have now an aggregate of not less than forty thousand in the field for the Union; while of their citizens, certainly not more than a third of that number, and they of doubtful whereabouts and doubtful existence, are in arms against it. After a somewhat bloody struggle of months, winter closes on the Union people of Western Virginia, leaving them masters of their own country.

"An insurgent force of about fifteen hundred, for months dominating the narrow peninsular re-



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gion, constituting the counties of Accomac and Northampton, and known as the eastern shore of Virginia, together with some contiguous parts of Maryland, have laid down their arms, and the people there have renewed their allegiance to and accepted the protection of the old flag. This leaves no armed insurrection north of the Potomac, nor east of the Chesapeake.

"Also, we have obtained a footing at each of the isolated points on the Southern coast, of Hatteras, Port Royal, Tybee Island, near Savannah, and Ship Island; and we likewise have some general accounts of popular movements in behalf of the Union in North Carolina and Tennessee. These things demonstrate that the cause of the Union is advancing steadily southward.

"Since your last adjournment, Lieutenant-General Scott has retired from the head of the army. During his long life, the nation has not been unmindful of his merit; yet, on calling to mind how faithfully, ably and brilliantly he has served the country, from a time far back in our history, when few of the now living had been born, and thenceforward continually, I cannot but think we are still his debtors. I submit, therefore, for your consideration, what further mark of recognition is due to him and to ourselves as a grateful people.

"With the retirement of General Scott came the executive duty of appointing in his stead a General-in-Chief of the army. It is a fortunate circumstance that neither in council nor country was there, so far as I know, any difference of opinion as to the proper person to be selected.

"The retiring chief repeatedly expressed his judgment in favor of General McClellan for the position, and in this the nation seemed to give a unanimous concurrence. The designation of General McClellan is, therefore, in a considerable degree, the selection of the country as well as of the Executive; and hence there is better reason to hope there will be given him the confidence and cordial support thus, by fair implication promised, and without which he cannot, with so full efficiency, serve the country.

"It has been said that one bad General is better than two good ones; and the saying is true, if taken to mean no more than that an army is better directed by a single mind, though inferior, than by two superior ones at variance and cross-purposes with each other. And the same is true in all joint operations wherein those engaged can have none but a common end in view, and can differ only as to the choice of means. In a storm at sea, no one on board can wish the ship to sink, and yet not unfrequently all go down together, because too many

will direct, and no single mind can be allowed to control.

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"It continues to develop that the insurrection is largely, if not exclusively, a war upon the first principles of popular government—the rights of the people. Conclusive evidence of this is found in the most grave and maturely-considered public documents, as well as in the general tone of the insurgents. In these documents, we find the abridgement of the existing right of suffrage, and the denial to the people of all right to participate in the selection of public officers, except the legislative body, is advocated with labored arguments to prove that large control of the Government by the people is the source of all political evil. Monarchy itself is sometimes hinted at as a possible refuge from the power of the people.

"In my present position, I could scarcely be justified were I to omit raising a warning voice against this approach of returning despotism.

"It is not needed nor fitting here that a general argument should be made in favor of popular institutions; but there is one point with its connections not so hackneyed as most others, to which I ask a brief attention. It is the effort to place capital on an equal footing with, if not above labor, in the structure of Government. It is assumed that labor is available only in connection with capital, that nobody labors unless somebody else owning capital somehow by the use of it induces him to labor. This assumed, it is next considered whether it is best that capital shall hire laborers, and thus induce them to work by their own consent, or buy them and drive them to it without their consent. Having proceeded so far, it is naturally concluded that all laborers are either hired laborers or what we call slaves; and further it is assumed that whoever is once a hired laborer is fixed in that condition for life. Now there is no such relation between capital and labor as assumed, nor is there any such thing as a free man being fixed for life in the condition of a hired laborer. Both of these assumptions are false, and all inferences from them are groundless. Labor is prior to, and independent of, capital. Capital is only the fruit of labor, and could never have existed if labor had not first existed. Labor is the superior of capital, and deserves much the highest consideration. Capital has its rights, which are as worthy of protection as any other rights. Nor is it denied that there is, and probably always will be, a relation between labor and capital, producing mutual benefits. The error is in assuming that the whole labor of the community exists within that relation. A few men own capital, and that few avoid labor themselves, and with their capital hire or buy another few to labor for them. A large majority belong to



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neither class—neither work for others, nor have others working for them. In most of the South-

ern States, a majority of the whole people of all colors are neither slaves nor masters, while in the North a large majority are neither hirers nor hired. Men with their families—wives, sons and daughters—work for themselves on their farms, in their houses, and in their shops, taking the whole product to themselves, and asking no favors of capital, on the one hand, nor of hired laborers or slaves, on the other. It is not forgotten that a considerable number of persons mingle their own labor with capital—that is, they labor with their own hands, and also buy or hire others to labor for them; but this is only a mixed and not a distinct class. No principle stated is distinguished by the existence of this mixed class.

“Again, as has already been said, there is not of necessity any such thing as the free hired laborer being fixed in that condition for life. Many independent men everywhere in these States a few years back in their lives were hired laborers. The prudent, penniless beginner in the world, labors for wages awhile, saves a surplus with which to buy tools and land for himself, then labors on his own account another while, and at length hires another new beginner to help him. This is the just and generous and prosperous system which opens the way to all, gives hope to all, and consequent energy and progress in the improvement of their condition to all. No men living are more worthy to be trusted than those who toil up from poverty; none less inclined to take or touch ought which they have not honestly earned. Let them beware of surrendering a political power which they already possess, and which, if surrendered, will surely be used to close the door of advancement against such as they, and to fix new disabilities and burdens upon them till all of liberty shall be lost.

“From the first taking of our national census to the last, are seventy years; and we find our population at the end of the period eight times as great as it was at the beginning. The increase of those other things which men deem desirable, has been even greater. We thus have, at one view, what the popular principle, applied to government, through the machinery of the States and the Union, has produced in a given time; and also what, if firmly maintained, it promises for the future. There are already among us those who, if the Union be preserved, will live to see it contain 250,000,000. The struggle of to-day is not altogether for to-day. It is for a vast future, also.

“With a firm reliance on Providence, all the more firm and earnest for our present troubles, let us

proceed in the great task which events have devolved upon us. ABRAHAM LINCOLN.

“WASHINGTON, December 3d, 1861.”

What will strike the reader's attention is the kindly spirit which pervades this entire message. In that respect what a contrast it offers to the manifesto of revenge and baffled ambition quoted on pages 430-33! Confident, firm, sagacious and humane in terms and tone, it was but an exponent of the sentiment which swayed the minds and animated the hearts of the great mass of Northern people. Mr Lincoln still retained the confidence of the people, to a flattering degree, and his words found a ready response in the hearts of his constituents.

If a division of this confidence followed, it was a

Opposition to Federal Policy.

result of the changes brought forth by the vast responsibilities thrust upon the President. What to do and what not to do, were questions which soon grew to portentous significance. The Executive, in answering either, by action, necessarily encountered the opposition of those who differed from his views. These differences grew, ere long, into political antagonisms; the inauguration of the Emancipation and Confiscation acts called into existence a powerful party. With a rallying cry “the Union as it was—the Constitution as it is,” the opposition in effect proposed to restore the South with all its institutions and political force intact. Upon that issue the President experienced the only material opposition brought to bear against his administration.

This issue was not undesirable. If regarded in its widest significance it was but a *second* phase of the rebellion. The first phase was the act of war to sustain the independence of the Slave States: the second was the attempt to perpetuate the political power of Slave representation in the old Union.\* In

\* This will appear more fully by reference to a few statistics. South Carolina's representation in the Federal Congress, under the apportionment of 1860, was four representatives for a white population of 398,186. Connecticut representation was four representatives for a population of 760,670. Upon the basis of democratic equality—such an equality as underlies the whole structure of free institutions—South Carolina was entitled to but one-



Important Action of  
Congress.

both cases the contest was with the Slave propagandists. It was well to meet both on one field, to settle forever, if possible, the tremendous question lying at the very base of the rebellion—the right of the Slave States to a separate confederacy, or, if defeated and brought back into the old Union, their right to their old representation on “property.” The President shrank from courting the double contest, but this session of Congress assumed the initiative in its acts—Chapter CXCIV. for Punishment of Treason, Confiscation and Amnesty; CXI. for Securing Freedom to all Persons within the Territories of the United States; LIV. for Abolishing Slavery in the District of Columbia; XL. for Prohibiting the Army from Catching Slaves. The first act cited covered the whole ground. Although professedly a “military necessity,” it is useless to deny that it was any other than the expression of the anti-slavery sentiment of the country—it was the final triumph of the contest for supremacy inaugurated on the soil of Kansas in 1856—it was the culminating point in the history of American Slavery. The Southern opposition in struggling against this Congressional and Executive procedure, sought to maintain the old *status* of Slave representation, and they registered their devotion to the South as they had before registered it in the repeal of the Missouri Compromise act, and in the support of Breckenridge for the Presidency.

We introduce these observations, at this point, to indicate the nature of the opposition to the Administration which took form early in the session of 1861–62, as well as to advise the reader of the changes in sentiment which transpired as the war progressed.

half the representation of Connecticut. The seven “original” States of the Confederacy together had a white population of 2,656,451, and for this had *thirty-two* representatives. The six New England States had a population of 3,135,301, yet they had but *twenty-five* representatives! Here, then, we have *fact* of Slave, or “property,” representation in Congress to the extent of adding fully fifty per cent. to the representation on the actual white population. [See Vol. I. pages 27–28 for tables giving the figures at length, from which each reader may deduce his own inferences ]

The report of the Secretary of War engrossed much attention. It was an able and lucid document. We give those sections which must retain a permanent interest in a record of the war. Upon their statistics and statements the future commentator and essayist must rely, to a considerable extent, for data; and no present reader, who would become well informed upon the subject, can afford to pass such official documents with slight notice. They merit the most attentive consideration.

The Secretary presented the following tabular estimate of the forces which were, or had been, in the field:

STATES.	VOLUNTEERS.		
	3 mos.	The war.	Ag'gate.
California.....	...	4,688	4,688
Connecticut.....	2,236	12,400	14,636
Delaware.....	775	2,000	2,775
Illinois.....	4,941	80,000	84,941
Indiana.....	4,686	57,332	62,018
Iowa.....	968	19,800	20,768
Kentucky.....	....	15,000	15,000
Maine.....	768	14,239	15,007
Maryland.....	....	7,000	7,000
Massachusetts.....	3,435	26,760	30,195
Michigan.....	781	28,550	29,331
Minnesota.....	....	4,160	4,160
Missouri.....	9,356	22,130	31,486
New Hampshire.....	779	9,600	10,379
New Jersey.....	3,068	9,342	12,410
New York.....	10,188	100,200	110,388
Ohio.....	10,236	81,205	91,441
Pennsylvania.....	19,199	94,760	113,950
Rhode Island.....	1,285	5,898	7,183
Vermont.....	780	8,000	8,780
Virginia.....	779	12,000	12,779
Wisconsin.....	792	14,153	14,945
Kansas.....	....	5,000	5,000
Colorado.....	....	1,000	1,000
Nebraska.....	....	2,500	2,500
Nevada.....	....	1,000	1,000
New Mexico.....	....	1,000	1,000
District of Columbia.....	2,823	1,000	3,823
Total.....	77,875	640,637	718,513
Estimated strength of the regular army, including the new enlistments under act of Congress of July 29, 1861.....	....	20,334	....
Total.....	....	660,971	....
The several arms of the service were estimated as follows:			
Arms of the service.	Volunteers.	Regulars.	Ag'gate.
Infantry.....	557,208	11,175	568,383
Cavalry.....	54,654	4,744	59,398
Artillery.....	20,380	4,308	24,688
Rifles and Sharpshooters....	8,395	....	8,395
Engineers.....	....	107	107
Total.....	640,637	20,334	660,971



Report of the Secretary of War.

This constituted the "Army of the Union"—a force one-half greater than Napo-

leon called into the field in 1815 to resist the combined armies of Great Britain, Russia, Austria, Prussia, the German States, &c. In regard to enlistments the report said :

"At the commencement of this rebellion, inaugurated by the attack upon Fort Sumter, the entire military force at the disposal of the Government was 16,006 regulars, principally employed in the West to hold in check marauding Indians. In April, 75,000 volunteers were called upon to enlist for three months service, and responded with such alacrity that 77,875 were immediately obtained. Under the authority of the act of Congress of July 22, 1861, the States were asked to furnish 500,000 volunteers to serve for three years, or during the war; and by the act approved the 29th of the same month, the addition of 25,000 men to the Regular Army of the United States was authorized. The result is, that we have now an army of upwards of 600,000 men. If we add to this the number of the discharged three months volunteers, the aggregate force furnished to the Government since April last exceeds 700,000 men."

Mr. Cameron then referred, with a sense of pride, to the fact that in the war of the Revolution Massachusetts supplied troops to the extent of 56,000—or more than one in six of her entire population. Should the loyal States now furnish forces in that proportion the Federal army would embrace over *three millions* of men. He added :

"The conspiracy against the Government extended over an area of 733,144 square miles, possessing a coast line of 3,523 miles, and a shore line of 25,414 miles, with an interior boundary line of 7,031 miles in length. This conspiracy stripped us of arms and munitions, and scattered our Navy to the most distant quarters of the globe. The effort to restore the Union, which the Government entered on in April last, was the most gigantic endeavor in the history of civil war. The interval of seven months has been spent in preparation.

"The history of this rebellion, in common with all others, for obvious causes, records the first successes in favor of the insurgents. The disaster of Bull Run was but the natural consequence of the premature advance of our brave but undisciplined troops, which the impatience of the country demanded. The betrayal also of our movements by traitors in our midst enabled the rebels to choose and intrench their position, and by a reenforcement in great strength, at the moment of victory, to snatch it

from our grasp. This reverse, however, gave no discouragement to our gallant people ;

they have crowded into our ranks, and although large numbers have been necessarily rejected, a mighty army in invincible array stands eager to precipitate itself upon the foe. The check that we have received upon the Potomac has, therefore, but postponed the campaign for a few months. The other successes of the rebels, though dearly won, were mere affairs, with no important or permanent advantages. The possession of Western Virginia and the occupation of Hatteras and Beaufort have nobly redeemed our transient reverses."

This embodied a true statement of those "glorious victories vouchsafed to the Southern arms," so piously referred to by Mr. Davis. In regard to the progress of affairs in the Border Slave States the Secretary said :

"At the date of my last report, the States of Delaware, Maryland, Kentucky and Missouri were threatened with rebellion. In Delaware, the good sense and patriotism of the people have triumphed over the unholy schemes of traitors. The people of Kentucky early pronounced themselves, by an unequivocal declaration at the ballot-box, in favor of the Union; and Maryland, notwithstanding the efforts of bad men in power in the city of Baltimore, when the opportunity of a general election was afforded, under the lead of her brave and patriotic Governor, rebuked by an overwhelming majority the traitors who would have led her to destruction. In Missouri, a loyal State Government has been established by the people, thousands of whom have rallied to the support of the Federal authority, and, in conjunction with troops from other portions of the country, have forced the rebels to retire into the adjoining State. The Government established in Virginia by the loyal portion of her population is in successful operation, and I have no doubt will be sustained by the people of the entire State whenever the thralldom of the rebel forces shall have been removed."

The Secretary, recommending a reconstruction of the boundaries of the States surrounding the National capitals, said :

"The geographical position of the metropolis of the nation, menaced by the rebels, and required to be defended by thousands of our troops, induces me to suggest for consideration the propriety and expediency of a reconstruction of the boundaries of the States of Delaware, Maryland and Virginia. Wisdom and true statesmanship would dictate that the seat of the National Government for all time to come should be placed beyond reasonable danger of seizure by enemies within, as well as from capture by

Report of the Secretary of War.



Report of the Secretary of War.

foes from without. By agreement between the States named, such as was effected for similar purposes by Michigan and Ohio, and by Missouri and Iowa, their boundaries could be so changed as to render the capital more remote than at present from the influence of State Governments which have arrayed themselves in rebellion against the Federal authority. To this end, the limits of Virginia must be so altered as to make her boundaries consist of the Blue Ridge on the east and Pennsylvania on the north, leaving those on the south and west as at present. By this arrangement two counties of Maryland (Alleghany and Washington) would be transferred to the jurisdiction of Virginia. All that portion of Virginia which lies between the Blue Ridge and Chesapeake Bay could then be added to Maryland, while that portion of the peninsula between the waters of the Chesapeake and the Atlantic, now jointly held by Maryland and Virginia, could be incorporated into the State of Delaware. A reference to the map will show that these are great natural boundaries, which for all time to come would serve to mark the limits of these States.

"To make the protection of the capital complete, in consideration of the large accession of territory which Maryland would receive under the arrangement proposed, it would be necessary that that State should consent so to modify her constitution as to limit the basis of her representation to her white population.

"In this connection, it would be the part of wisdom to reannex to the District of Columbia that portion of its original limits which by act of Congress was retroceded to the State of Virginia."

The conclusion of the Report, as amended by the President,\* read :

"It is already a grave question what shall be done by the slaves who are abandoned by their owners on the advance of our troops into Southern territory, as at Beaufort District, in South Carolina. The number left within our control at that point is very considerable, and similar cases will probably occur. What shall be done with them? Can we afford to send them forward to their masters, to be by them armed against us, or used in introducing supplies to maintain the rebellion? Their labor may be useful to us; withheld from the enemy, it lessens his military resources, and withholding them has no tendency to induce the horrors of insurrection even in the rebel communities. They constitute a rebel resource, and, being such, that

they should not be turned over to the enemy is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce supplies? The disposition to be made of the slaves of rebels after the close of the war, can be safely left to the wisdom and patriotism of Congress. The representatives of the people will, unquestionably, secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country."

The Report of the Navy Department possessed an interest scarcely second to that claimed for the War Department's exposition. It stated, at considerable length, the extraordinary obstacles encountered in reorganizing that arm of the service after its almost utter paralyzation by secession defection; it reviewed the labor performed during the summer and fall of 1861 in blockading the coast from Virginia to the Rio Grande—in co-operating in the several expeditions which had resulted so gloriously to the cause of our arms—in chasing privateers, whose flag, though unrecognized by the nations of earth, still found admission and all necessary assistance in English ports to render them exceedingly dangerous and troublesome. To the capture of the rebel emissaries, Mason and Slidell, the Secretary referred approvingly—in that respect *sanctioning* an act which the Executive repudiated. The report gave a summary statement of the vessels employed up to December 1st. We quote its tables :

\* When the vessels now building and purchased, of every class, are armed, equipped and ready for service, the condition of the Navy will be as follows :

OLD NAVY.		
Number of Vessels.	Guns.	Tons.
6 Ships-of-Line.....	504	16,094
7 Frigates.....	350	12,104
17 Sloops .....	342	16,031
2 Brigs .....	12	539
3 Storeships.....	7	342
6 Receiving ships, &c.....	106	6,340
6 Screw frigates.....	222	21,460
6 First class screw sloops.....	109	11,953
4 First-class side-wheel steam-sloops.	46	8,003
8 Second-class screw-sloops .....	45	7,593
5 Third-class screw-sloops.....	28	2,405
4 Third-class side-wheel steamers....	8	1,808
2 Steam tenders.....	4	599
—	—	—
79	1,783	105,271

PURCHASED VESSELS.		
Number of Vessels.	Guns.	Tons.
36 Side-wheel steamers.....	166	26,630
43 Screw-steamers .....	175	20,403

\* See Appendix, page —, for the excised paragraphs.



13 Ships .....	52	9,998
24 Schooners.....	49	5,324
18 Barks.....	78	8,432
2 Brigs.....	4	460
—	—	—
136	518	71,297

VESSELS CONSTRUCTED.

Number of Vessels.	Guns.	Tons
14 Screw-sloops .....	98	16,787
23 Gunboats.....	92	11,681
12 Side-wheel steamers.....	48	8,400
3 Iron-clad steamers.....	18	4,600
—	—	—
52	256	41,448

Making a total of 264 vessels, 2,557 guns, and 218,016 tons. The aggregate number of seamen in the service on the 4th of March last was 7,600. The number is now not less than 22,000 "

These figures included those ordered to be built by the special session of Congress. Only three "iron clads" were specified. It scarcely seems credible that, with but three of these *experimental* batteries in course of construction, in December, 1861, the month of December, 1862 should behold, in that species of craft, the nation's hope against both domestic and foreign foes. The three iron clads, or, as the Secretary called them—"armor steamers," were the embodiments of ideas which soon changed the entire aspect of the navies of the world. As in most instances, where a great change was to be introduced to the moral and physical forces of civilization, American skill and sagacity were the pioneers. Yet, it is to be written that, to the navy proper does not belong the idea of iron clad vessels. Naval officers and naval boards reported against their feasibility. The "Stevens' battery," which had been constructing for many years, was rejected, and the examining commission of eminent naval men in their report upon it declared *against* the practicability of iron clads. The genius of the country, led by such men as John Erricson, thoroughly aroused by the great demands of the hour, listened in quiet to the rejection of their iron ideas, but pressed their views nevertheless to their final brilliant endorsement. Naval gunnery, naval engineer science, naval construction, naval prejudices—all were cast to the wind in the new era inaugurated. Nor, were the Confederates behind the mechanics of the North in skill and foresight. Their "ram," at New Orleans, which had sent such consternation to the fleet blockading the passes of

the Mississippi river, was a success when the *Monitor* was yet in embryo; and the celebrated *Merrimac*, at the Gosport Navy Yard, was a terror strong enough to encourage the Federal Government to unusual exertions in order to complete a battery powerful enough to encounter the formidable monster puffing and snorting around the bay. The sudden appearance of the untried *Monitor*, at a moment when the *Merrimac* was crashing through frigates-of-the-line at her leisure, was one of the most exciting and providential episodes of the war. The trial of vulnerability which followed—the vanquishment of the monster by the turret of two guns—was the deciding moment in the destiny of naval structures. The little *Monitor* steamed back to Fortress Monroe, from the contest with her antagonist in the Roads, to give law to the world.

To the credit and honor of Secretary Welles be it said, the ideas of Erricson received full endorsement; and, to his hearty co-operation did the country owe the rapid completion of the little craft which was destined to revolutionize the navies of the seas. With her triumph it may be said with truth that the Iron Age had come again.

The Secretary's estimates for his wants we may append:

"The amount appropriated at the last regular session of Congress for the naval service for the current year was \$13,168,675.86. To this was added at the special session in July last \$30,446,875.91—making for the fiscal year ending June 30, 1862, an aggregate of \$43,615,551.77. This sum will not be sufficient, however, for the purpose, and therefore additional appropriations will be necessary. There will be required to pay for vessels purchased, and for necessary alterations incurred in fitting them for naval purposes, the sum of \$2,530,000; for the purchase of additional vessels. \$2,000,000; and for the construction and completion of twenty iron-clad vessels, \$12,000,000—making a total of \$16,530,000. This sum is independent of the estimates submitted for the next fiscal year, and being required for current expenses as well as objects of immediate importance, it is desirable should receive early attention from Congress.

"The estimates submitted by this Department for the fiscal year ending June 30th, 1863, amount to \$44,625,665.02, viz :  
For the navy proper.....\$41,096,530 25



For the marine corps..... 1,105,656 77  
 For navy yards, hospitals, magazines and miscellaneous objects..... 2,423,478 00

The Treasury Department report did not make its appearance until Dec.

10th, owing to the labor required in its preparation. It was a lengthy document setting forth without reserve the condition of the nation's finances. The Secretary acknowledged his great obligations to the bankers of the country and to the people investing in the National Loan (7.30 per cents). His summary of expenses and estimates were thus tabularized:

"To obtain a clear understanding of the amount for which it will become necessary to resort to further loans, it is requisite to review the financial movement of the Treasury during the whole of the last and the first quarter of the current fiscal year, and compare, somewhat more closely than has already been done, the probable wants and probable resources of the Government for the remaining three quarters of the current and the whole of the following year.

"In the July report the Secretary submitted a detailed statement, in part estimated, showing the receipts for the last fiscal year, ending on the 30th June, 1861, including the balance in the Treasury at its commencement, to have been \$86,972,893.81, and the expenditures to have been \$84,577,258.60, and the balance to have been \$2,355,635.21. Actual returns show that the receipt, including balance, were \$86,335,900.27, the expenditures \$84,578,834.47, and the balance \$2,257,065.80.

"For the first quarter of the current fiscal year, commencing 1st July, 1861, the receipts and expenditures are ascertained, and for the remaining three quarters, ending 30th June, 1862, are estimated as follows:

For the first quarter the actual receipts from customs, lands and miscellaneous sources, including the balance of \$2,257,065.80, were..... \$9,809,731 24

For the second, third and fourth quarters the estimated receipts are..... 27,000,000 00

To these sums must be added the amount realized from loans in all forms prior to December 1, 1861, as already stated..... 197,242,588 14

And there must be added also the amount to be realized from additional loans already authorized.. 75,439,975 00

And there must be added also the amount anticipated from the direct tax..... 20,000,000 00

Making the total receipts..... \$329,501,994 38

On the other hand:

For the first quarter the actual expenditures were..... \$98,239,733 09

For the second, third and fourth the estimated expenditures, under appropriations already made for public service, including civil list, Interior, War and Navy departments, and public debt and interest, are..... 302,035,761 21

And the estimated expenditures under the additional appropriations now asked for are:

For civil service and increased interest. \$5,166,438 99  
 And for the War and Navy Departm'ts. 137,964,488 77  
 143,130,927 76

Making a total of actual and estimated expenditures under existing and asked appropriations of..... \$543,406,422 07

From which deduct actual and estimated receipt, as above stated 329,501,994 38

Making an apparent amount for which recourse must be had to loans of..... \$213,904,427 68

"For the fiscal year 1863, commencing on the 1st of July, 1862, and ending on the 30th of June, 1863, no reliable estimates can be made. It is earnestly to be hoped, and, in the judgment of the Secretary, not without sufficient grounds, that the present war may be brought to an auspicious termination before midsummer. In that event the provision of revenue by taxation, which he has recommended, will amply suffice for all financial exigencies, without resort to additional loans; and not only so, but will enable the Government to begin at once the reduction of the existing debt.

"It is the part of wisdom, however, to be prepared for all eventualities, and the Secretary, therefore, submits the estimates of the several departments for the fiscal year 1863, based on the supposed continuance of the war, as follows:

"The estimated expenditures are:

For the civil list, including foreign intercourse and miscellaneous expenses other than on account of the public debt..... \$23,086,971 23

For the Interior Department, (Indians and pensions)..... 4,102,962 98



For the War Department.....	360,159,986 61
For the Navy Department.....	45,164,994 18
For the public debt—	
Redemption....	\$2,883,364 11
Interest on debt contracted before 1st July, 1862....	29,932,696 42
Interest on debt to be contracted af ter 1st July, 1862	10,000,000 00
	<hr/> 43,816,330 53

Making an aggregate of estimated expenditures of..... \$476,331,245 51

“On the other hand, the estimated receipts are—

From customs, lands and ordinary sour- ces.....	\$45,800,000
From direct tax....	20,000,000
From internal duties, including income tax .....	30,000,000

Making an aggregate of estimated receipts of..... 95,800,000 00

And leaving a balance to be provided for of..... \$379,531,245 51

“The whole amount required from loans may therefore be thus stated :

For the fiscal year 1862, under ex- isting laws. ....	\$75,449,675 00
For the fiscal year 1862, under laws to be enacted.....	200,000,000 00
For the fiscal year 1863, also under laws to be enacted .....	379,531,245 51

Making an aggregate of..... \$654,980,920 61

“The total may be stated in round numbers at six hundred and fifty-five millions of dollars.

“A tabular statement will accompany this report, showing somewhat more in detail the actual and estimated receipts and expenditures of the financial years 1861, 1862 and 1863.

“THE REBEL DEBT IN 1860, 1861, 1862 AND 1863.

“It only remains, in order to complete the view of the financial situation, to submit a statement of the public debt as it was on the 1st day of July, 1860 and 1861, and will be, according to the estimates now presented, at the same date in each of the years 1862 and 1863.

“The statement, in brief, is as follows :

On the 1st day of July, 1860, the public debt was.....	\$64,768,133 08
On the 1st day of July, 1861, the public debt was.....	90,867,828 68

On the 1st day of July, 1862, the  
public debt will be..... 517,372,802 93

On the 1st day of July, 1863, the  
public debt will be..... 897,372,802 93

Here was a debt whose magnitude placed us beside the Old World nationalities in the scale of “promises to pay;” but it was regarded by our people with a feeling of confidence. If the sums demanded were well spent, the North would pour out its resources and its blood freely. Only restore the Union and the old-time prosperity, and a debt twice greater than that hinted at by the Secretary would be readily mastered in thirty or forty years. The inexhaustible resources of the soil, the matchless energy of the people, the new avenues to wealth constantly being discovered, rendered a public debt of magnitude a national impetus instead of a national incubus. In that respect how republican America differed from monarchical Europe!

The report of the Postmaster-General possessed several points of permanent interest.

The Postmaster-General's Defense.

Making loyalty or disloyalty the test, he had deprived disloyal men of their contracts for mail transportation, and had denied disloyal journals the right to circulate through the mails. In his action upon these cases the Postmaster-General had been charged with an exercise of arbitrary and unconstitutional power; and a large class of persons took umbrage at what they deemed to be an infringement of the sacredness of contracts and the freedom of the press.

In his own defense Mr. Blair assumed that “it was positively *unsafe* to intrust the transportation of the mails to a person who refused or failed to recognize the sanctity of an oath, but to continue payment of public money to the enemies of the Government and their allies, was to give direct aid and comfort to treason in arms. We could not thus permit this branch of Government to contribute to its own overthrow.” He also gave his reasons for “excluding disloyal publications from the mails. To await the results of slow judicial prosecution was to allow crime to be consummated, with the expectation of subsequent punishment, instead of



The Postmaster General's Defense.

*preventing its accomplishment* by prompt and direct interference. Of the cases

presented for his action, upon the principles which he named, he had, by order, excluded from the mails twelve of those treasonable publications, of which several had been previously presented by the Grand Jury as incendiary and hostile to constituted authority. While he did not claim the authority to suppress any newspaper, however disloyal and treasonable its contents, the Department could *not* be called upon to give them circulation. It could not and would not interfere with the freedom secured by law, but it could and did obstruct the dissemination of that license which was without the pale of the Constitution and Law. The mails established by the United States Government could not, upon any known principles of law or public right, be used for its destruction. As well could the common carrier be legally required to transport a machine designed for the destruction of the vehicle conveying it, or an inn-keeper be compelled to entertain a traveler whom he knew to be intending to commit a robbery in his house.\* He found these views supported by the high authority of the late Chief Justice Story, of the Supreme Court of the United States, whose opinion he quoted.

This was the patriotic if not conclusive answer to the grievances of those anxious to secure the dissemination of conspiracy and sedition under the guise of a stoutly asseverated "freedom of the press." The fact that the complainants were chiefly disloyal or semi-loyal men did not impair the force of the Department's excuse for its procedure. Yet, in spite of the good intent—perhaps of the actual propriety of the officer's course—the acts as alleged were arbitrary exercises of authority, depending for their justification upon the voice of loyal men rather than upon any construction of law. It was another of those instances, occurring during the war, wherein the Executive branches of Government clearly overreached precedent and technical construction in order to accomplish what to them seemed necessary results. The verdict of posterity doubtless will be less censorious than that visited upon the offending officers by the "opposition" of 1862.

These several reports excited general attention and appeared to give satisfac-

Excitement in Congress.

tion. But, Congress seethed and bubbled with a commotion which portended an outbreak against the President's policy of conciliating those in arms against the country. Mr. Lincoln clearly favored what was deemed to be a "conservative" course—that is, he would not strike at Slavery as the source of strength to those in arms; he would protect all slave catchers from among those professedly loyal, by enforcing the fugitive slave law; he would not decree the release of the jail full of wretched negroes confined as "runaways" in the Washington jail; he would not favor a decree of emancipation because of the rights of the loyal Border States; he would, in fact, prosecute the war in such a way as to effect a restoration of the Union with the old guarantees to Slave property unimpeached.

It is foreign to the nature of this work to enter upon an examination of the questions of policy and of law which, after this date, (December, 1861,) became paramount themes of discussion. Clearly, the Slave institution had rights, and, as clearly the Republican members of Congress had conceded those rights.\* But, quite as conclusively was the fact, urged by what afterwards proved to be a Congressional majority, that it was the vital source, cause and sustenance of the rebellion—that the Slaves were loyal and had a *right* to protection—that the old status of the States in insurrection could only be restored by their unconditional submission and *pardon* for offences, the first of which was improbable and the last impossible, except at a sacrifice of every Constitutional obligation for the punishment of sedition, conspiracy and treason. The President, it may well be supposed, was exceedingly perplexed as to what course to pursue. As in the case of the first five

\* See Volume I. Congressional proceedings. We may here indicate the vote on Dunn's resolution, page 32; on Winter Davis' resolve, page 104; on the resolves submitted by Mr. Seward to the Committee of Thirteen, page 123; the final vote on Corwin's resolve, pages 463-67; and finally and conclusively to the vote on Sherman's resolution, page 400.



Excitement in Congress.

weeks of his reign, he left it for circumstances to determine his acts. He finally

ended by accepting the legislation of Congress; and, in enforcing *its* decrees of confiscation and emancipation, aroused that old spirit of 'democratic' opposition which ever

has, stood, and seemingly ever will stand, by the interests of the South—human slavery, aristocratic privileges and all. In saying this we but repeat what it cannot be denied is one of the well demonstrated facts in American History. The South only reigned supreme when that opposition was in the majority.

## CHAPTER VII.

### HALLECK'S CONDUCT OF THE DEPARTMENT OF MISSOURI—NOVEMBER 18TH, 1861, TO FEBRUARY 1ST, 1862.

Halleck's Assumption of Command.

MAJOR-GENERAL Henry Wager Halleck arrived in St. Louis November 18th,

1861, to assume the department command. Orders indicating his field of labor and authority (issued November 9th) assigned to his department the States of Missouri, Iowa, Minnesota, Wisconsin, Illinois, Arkansas, and that portion of Kentucky west of the Cumberland River. This was Fremont's "Department of the West," shorn of some of its western extension. The General reached St. Louis to receive at General Hunter's hands the somewhat disorganized forces returned from the Springfield advance. A council of Generals of divisions was convened at once. The retreat from Springfield had thrown open the State to rebel invasion, and Halleck learned, in a few days' time, that he had a most momentous work on hand to save the southern and central sections from devastation. He entered upon his labors with a calm energy at once indicative of self-reliance and a thorough mastery of his situation. Among his first orders was that afterwards called the "celebrated number three"—the text of which read:

"HEADQUARTERS, DEPARTMENT OF THE MISSOURI }  
ST. LOUIS, NOV. 20th, 1861.

"GENERAL ORDERS, No. 3.

"I. It has been represented that important information respecting the numbers and condition of our forces is conveyed to the enemy by means of

fugitive slaves who are admitted within our lines. In order to remedy this evil, it is directed that no such persons be hereafter permitted to enter the lines of any camp, or of any forces on the march, and that any now within such lines be immediately excluded therefrom.

"By order of Major-General Halleck.

"WILLIAM McMICHAEL,

"Assistant Adjutant General."

This, though professedly a military mandate, was a declaration of policy. It

Order Number  
Three.

at once banished the "inevitable negro" from the field by bayonetting him back into slavery—thus reassuring slave owners that, so far as the Department of Missouri was concerned, their "property" was to be driven back to them in event of its escape to the Federal lines. Construed even by the light of military propriety, it was impolitic. Scarcely a general or regimental officer in the field but confessed his indebtedness to fugitives from slavery for valuable information. Indeed, most of the valuable information came from these unhappy creatures, who would do and dare any peril to reach the Union lines. The very word "fugitives" implied their wretched estate—they were fleeing from a worse tyranny than those loyal whites who fled for protection to the Federal arms. Why were they banished? Did some of the blacks make wrong reports, owing to their ignorance and credulity? If, for the



want of intelligence of a few the many were to suffer, why was not the rule enforced against the white fugitives—many of whom, it was notoriously true, conveyed very exaggerated and untruthful information? It was a proscriptive and unnecessary edict, and one which the commanding General soon had good reason to regret. The sentiment of loyalty was against it—the sentiment of humanity was against it—the sentiment of law was against it; and it was but a dead letter from the date of its issue. The President qualified Fremont's notes of freedom, but he did not qualify Halleck's order. He was, at that particular moment, under the influence of the potion administered by the Border State politicians.\*

The rebels pressed north with the double intention of reaching the Missouri river above Jefferson City and of striking into Kansas. This movement was ordered from Neosho and Springfield in three divisions—the right wing, under General McBride, 6000 strong, resting on Stockton, in Cedar county; the left wing, 5000 strong, under General Rains, holding a position at Nevada, Vernon county; the centre, 5000 strong, commanded by Price in person, was, at that date (Nov. 25th) near Monticello, Vernon county. General McCullough having refused to co-operate in this crusade, had retired previously to the Arkansas Valley for supplies and winter quarters.† This left the entire responsibility with Price. The issue proved the Texan ranger to have been the wiser soldier, since one month later beheld Price fleeing in haste with his disordered ranks, to seek rest and shelter in the bosom of the Ozark hills. The ex-Governor, however, had another wish than military success to persuade his movements. He could not abandon the State with his forces, for then the transfer of the Commonwealth to the

\* Halleck himself soon qualified it. See his orders to Asboth, Appendix, page —.

† To explain the causes of his "secession" from Price, McCullough was cited to Richmond. His backward movement had taken place upon Fremont's occupation of Springfield. It was this which gave rise to the charge preferred against Fremont that he was being duped by the rebel leaders, who wished to draw him on into Arkansas.

Southern Confederacy would seem too much like a bad bargain for the Confederates. [See Appendix, page —, for the "Convention" by which the State was given away to the Confederates. It is one of the precious documents of the year illustrative of the off hand manner in which a few individuals sold States and disposed of places like any other private property.] Prior, therefore, to his march northward Price issued from Neosho a proclamation—his last and most powerful appeal to the people for their co-operation in the effort to drive the "invaders" from the State. We quote, as indicative of its tenor and tone:

Price's Neosho Proclamation.

• • • "When peace and protection could no longer be enjoyed but at the price of honor and liberty, your chief magistrate called for fifty thousand men to drive the ruthless invaders from a soil made fruitful by your labors, and consecrated by your homes; and to that call less than five thousand responded. Out of a male population exceeding two hundred thousand men, one in forty only stepped forward to defend with their persons and their lives the cause of constitutional liberty and human rights. • • • Where are those fifty thousand men? Are Missourians no longer true to themselves? Are they a timid, time-serving, craven race, fit only for subjection to a despot? Awake, my countrymen, to a sense of what constitutes the dignity and true greatness of a people. • • • Come to us, brave sons of Missouri, rally to our standard. I must have fifty thousand men. I call upon you in the name of your country for fifty thousand men. Do you stay at home to take care of us and your property? Millions of dollars have been lost because you stayed at home. Do you stay at home for gratification? More men have been murdered at home than I have lost in five successive battles. • • • But where are our Southern rights' friends? We must drive the oppressor from our land. I must have fifty thousand men. Now is the crisis of your fate—now is the golden opportunity to save the State—now is the time of your political salvation. The time for enlistment for our brave band is beginning to arrive. Do not hold their patience beyond endurance—do not longer sicken their hearts by 'hope deferred.' They begin to inquire, where are our friends? Who shall give them an answer! Boys and small property holders have in the main fought the battles for the protection of your property, and when they ask, where are the men for whom we are fighting? how shall I, how can I, explain? Citizens of Missouri! I call upon you, by



every consideration of interest, by every desire of safety, by every tie that binds you to home and country, delay no longer; let the dead bury their dead, leave your property to take care of itself; commend your homes to the protection of God, and merit the approbation and love of childhood and womanhood by showing yourselves men, the sons of the brave and free, who bequeathed to us the sacred trust of free institutions. Come to the army of Missouri, not for a week or a month, but to free your country.

“ ‘Strike till each armed foe expires!

Strike for your altars and your fires!

Strike for the green graves of your sires!

God and your native land!’ ”

And much more in the same strain. This patriotic cry for help was accompanied by the articles of agreement referred to above, by which the Southern Confederacy became responsible for the pay of all troops called into, or who voluntarily enlisted in the service. The General's rhetoric succeeded less than his bayonets in influencing any but vagabonds to enter his ranks. It is to be doubted if any army of twenty thousand men ever was gathered whose lists embraced more worthless fellows than that which Price commanded during his second campaign in Central and Western Missouri.

Governor Jackson's  
Appeal.

We should, in this connection, also refer to the commingled proclamation, address and appeal published by Governor Jackson in a New Madrid journal, Dec. 16th. It repeated his thrice published “views” of affairs, and recited the history of the six months campaign in a strain of congratulation calculated to inspire the hopes of a good time coming to his cause. The object of this document was to induce his six months men to remain in the army—to reenlist in the Confederate service for the war, which he promised should be but a brief and glorious struggle. He also authorized the State Guard to reorganize and to enter the Confederate lists. His appeal for troops ran the gamut of terms from imprecation to prayer. He had transferred the State to the Confederacy—now he would transfer his constituents if he could. It was like the wail of an Irish “wake”—the cry of one for the dead.

Halleck's orders were numerous and important. In a series published December

4th, occurred these warlike citations:

Halleck's Decisive  
Orders.

“ Commanding officers of districts, posts and corps are directed to arrest and place in confinement all persons in arms against the United States, or who give aid, assistance or encouragement to the enemy.

“ All property belonging to such persons which can be used by the army, will be taken possession of for that purpose, and all other property will be examined by a board of officers and sold according to army regulations.

“ All persons found in disguise as pretended loyal citizens, or under other false pretences within our lines, giving information to or communicating with the enemy, will be arrested, tried and shot as spies.

“ Persons now employed or enlisted in the service of the so-called Confederate States, who commit hostility, will not be treated as prisoners of war, but punished as criminals, and be shot or less severely punished, according to the rules of war.

“ In consequence of large numbers of Union families and non-combatants having been plundered and driven from their homes in a destitute condition, and thousands of such persons are now finding their way into this city, the Provost Marshals are directed to ascertain the condition of persons so driven from their homes, and under the military law of retaliation, quarter them in the homes and feed and clothe them at the expense of avowed secessionists, who, although they do not themselves rob and plunder, give aid and encouragement, abet and countenance the acts of their fellow-rebels.”

Out of this order (General Order No. 13) grew numberless complaints, recriminations and appeals. Though just, in a military sense, it was not faithfully enforced. Secessionists were arrested to some extent, but soon found their way to liberty again, doubly embittered by their “persecution.” Persons enlisted in the cause of the Confederacy were not treated as criminals and shot, probably under fear of the *lex talionis*, which the Confederates, from practice, knew well how to execute. Some levies were made upon the secession sympathisers of St. Louis to sustain the refugees, but not to the extent demanded by the wants of those suffering loyalists.

Against this General Order and another especially aimed at marauders, bridge burners and guerrillas, General Price protested, threatening retaliation. Under guise of communications on the subject, he succeed-

Price's Protest and  
Threats.



ed in getting three or four spies within the Federal lines, until, at length, Halleck replied: "No order of yours can save from punishment spies, marauders, robbers, incendiaries, guerrilla bands, &c., who violate the laws of war." Yet, though the country swarmed with these "irregulars," none were dealt with according to orders: not a cut-throat was hung, not a guerrilla shot, not a bridge burner made to taste the halter. At this time Tennessee dungeons and gallows were crying aloud with the blood of Tennessee citizens; yet, the Confederate authorities had the effrontery to characterize Halleck's orders as "inhuman," while a bloody retaliation was threatened for his "monstrous procedure." General Price but practiced the dissimulation common to almost every Confederate leader from Jefferson Davis down to Colonel Wigfall.

Order Closing the  
Rivers.

An order issued December 13th, closed the Missouri and Mississippi rivers to commerce, except under military surveillance. An immense contraband transportation was carried on by means of the rivers and their tributaries, and Halleck at once addressed himself to its suppression. The fleet of gunboats then gathered at Cairo and St. Louis, gave him a sharp police, and soon the rebels found it hazardous business to communicate with their sympathising friends in St. Louis and up the Missouri. Up to that date much provisions, clothing, medicines and not a small quantity of arms found their way down the Mississippi, chiefly by means of small boats pulled down-stream in the darkness, or under the shadows of the shores.

Price's Disposition.

Price concentrated his forces at Osceola, early in December. Halleck's disposition was such as to hold the rebel there. The Confederates took up a camp position five miles from the town, leaving General Rains with his division in the place. All through the western and central counties the enemy swarmed—their plundering and murdering propensities preferring the "detached service," of which Price himself was chief administrator. He arranged, as one means of carrying out the objects of his campaign, to "raise" the coun-

Price's Disposition.

ties north of the Missouri river, and simultaneously to burn railway bridges, rolling stock and stations. This was to occur on the 20th of December when the entire rebel force was to assume the offensive and defensive on the line of the river, with the ultimate design of foraging for supplies in Kansas and Iowa. It was a boldly conceived enterprize but impracticable owing to the superiority of Halleck in men and supplies. A number of valuable bridges were burned on the North Missouri and on the Hannibal and St. Joseph railways, and some rolling stock destroyed. The rapidity of Halleck's combinations, however, arrested the general destruction designed by the ambitious Price.

Halleck's Counter  
Disposition.

December 13-15th, General Prentiss in command at St. Joseph, moved down toward Lexington, where the rebels then were in occupation, and from which point Price's army drew enormous supplies in provisions, clothing and men—the counties contiguous voluntarily contributing, it is said, more to sustain the Confederate cause than all the rest of the State. With Prentiss' movement General Hunter co-operated. His forces were so disposed as to concentrate north or south of Lexington as might be required. A dispatch dated Tipton, Dec. 16th, said: "Yesterday orders were received here for all the forces at this post to hold themselves in readiness to march at a moment's notice. At the same time General Pope, commanding the Department of Central Missouri, at the head of nearly all the troops in winter quarters at Otterville, marched westward towards Warrensburg, for the purpose, it is generally believed here, of cutting off General Price, whom our scouts reported making forced marches to reach Generals Slack and Stein, now in the intrenchments at Lexington. Every body is on the *qui vive* for startling and good news, as universal confidence is felt in the ability and bravery of General Pope and his army."

The point of interest again became Lexington. It was soon diverted to a point about twenty miles to the south of the river, in the vicinity of Warrensburg, whither Pope had moved to plant himself between Price and



Pope's Advance from  
Sedalia.

the river. Pope disposed his forces with ingenuity and manœuvred them with consummate skill. Strong detachments were sent at Laurine bridge, Georgetown, Sedalia, and at a point twelve miles southwest of the latter place—dispositions made to blockade the avenues of communication between Price's camps—then at Rose Hill and Clinton, north of the Grand river branch of the Osage, and at Osceola—and Lexington. Pope's main body pushed on toward Clinton, but he shrewdly diverged from the Clinton road thirty miles from Sedalia, bearing to the west for the purpose of cutting in between Clinton and Rose hill. But, to lure out Price, a cavalry force of two hundred and fifty men under Major Hubbard, drawn from the First Missouri, pressed on to Clinton. Only the enemy's pickets were found there, and Hubbard dashed on, driving in the outposts until he had gone twelve miles beyond Grand river toward the Osceola (main) camp. He then turned northward again, securing his prisoners (sixty in number) and a considerable quantity of supplies, horses and mules. This bold dash into its very lines greatly excited the Osceola camp; but Price did not come out as hoped. He only prepared for retreat.

The Pursuit from  
Chilhowe.

The main body of Pope's two brigades, after diverging from the Clinton road, struck out for Chilhowe, a point between Rose hill and Clinton. The Federal cavalry rode over the surrounding country, picking up great numbers of men and a large quantity of stores traveling south from Lexington to Price's camp. The enemy's force at Rose Hill, about twelve hundred in numbers, becoming informed of Pope's approach suddenly fled—taking a direct road to the south; nor did they restrain their weary soles until the Osage was passed at a point south of Johnston. Pope dispatched the regiments of Colonels Brown and Foster, with a strong force of cavalry, and a section of flying artillery in pursuit; but the rebels were too fleet-footed—they all escaped. The pursuit was discontinued at Johnston—the cavalry and artillery returning direct to Chilhowe, while Colonel Foster, with the infantry, passed up

toward Clinton, hoping to bag more of Price's supplies and recruits. About one hundred of the unwary were secured, together with several wagons of stores.

Pope now directed his march to Warrensburg, from whence he proceeded eastwardly to a point about half way to Knob Noster, where the Clear Fork creek crossed the direct Warrensburg and Sedalia road. There he arrived on Thursday, Dec. 19th, to learn from his scouts that the heavy supply train of which he was in pursuit was at Milford, only seven miles away, on the north side of the Blackwater river nearly opposite the mouth of Cedar Fork creek.

From Milford two roads diverge—one to Warrensburg and one to Sedalia.

The Capture at  
Milford.

Pope at once dispatched two bodies of cavalry, under Colonel Davis and Major Marshall, to approach the town by both roads. Colonel Jefferson C. Davis took the Warrensburg route, and just before dark came dashing up to the Blackwater. Davis, with a battalion of the Iowa cavalry, passed from the approaching road, designing to ford the river by swimming if necessary, in order to reach and surprise the enemy's right; while the remainder of his forces—composed of companies B, C and D of the Fourth cavalry, regulars—under command of Lieutenant Amory, pressed on over the narrow bridge. The rapid evolutions of the regulars anticipated Davis' movements. They crossed over at high speed to send consternation into the rebel camps; and Davis came up (having failed to ford the stream owing to its deep and swift current) to find the whole affair settled: Amory had received the surrender of the camp and contents. This prize was found to consist of Colonels Robertson and Alexander, Major Harris, Lieutenant-Colonel Robinson, seventeen Captains, thirty Lieutenants, one thousand three hundred and forty privates, one thousand stand of arms, one thousand horses and mules, sixty-three wagon-loads of supplies, besides rations, small arms, saddles and extra clothing claimed by the privates.

A writer from the scene of action, said of these really admirable operations:

“During the six days' absence of this expedition



Results of Pope's  
Operations.

it has performed one of the most arduous undertakings ever accomplished. The distance travelled by some of the cavalry forces is not less than from eight hundred to one thousand miles. In many cases they rode day and night, with only two or three hours rest in the twenty-four, and this was continued day after day, and night after night, till, in many cases, men and horses fell from utter exhaustion. The untiring energy and sagacity of General Pope in conducting this expedition, as well as the immense importance of its results, will be fully appreciated by the people. I have no doubt that General Halleck, aided by this able officer, and seconded also by the veteran Steel, will very soon develop plans that will either force Price to a capitulation or drive him ignominiously from the State, and thus settle at once and forever the question of National supremacy in Missouri."

The writer's prophecy was quickly verified: Price's pretty projects had all miscarried, and the again stricken chief turned his face southward, followed by his now fully disorganized forces. He *preceded* his men. General Rains covered the "withdrawal." Bridges were burned and roads obstructed to prevent the apprehended pursuit. The long bridge at Warsaw, a monument of Fremont's labors, was among those destroyed. But, no immediate pursuit was made. Halleck was not then prepared for the onward to Springfield. Pope's successes were a surprise to his superior as well as to the enemy.

Much remained to do in clearing out the numerous bands of bridge burners, guerrillas and thieves who roamed over the country. Prentiss' and Hunter's troops did good service against the vagabonds. They had, for several weeks, been employed in trying to stay the destruction and suffering wrought by these strolling bands, but only with partial success. Well mounted, thoroughly acquainted with every by path, fastness and avenue of escape, it was almost impossible to encompass their destruction. Severe measures were called for. Hunter issued the following order, which the rebel authorities of course stigmatized as "transcending all the rules of civilized warfare:"

"HEADQUARTERS DEPARTMENT OF KANSAS, }  
FORT LEAVENWORTH, Dec. 2d, 1861. }

"TO THE TRUSTEES OF PLATTE CITY, &c.:

"Gentlemen: Having received reliable information

of depredations and outrages of every kind committed by a man named St. Gordon, a leader of rebel marauding bands, I give you notice that unless you seize and deliver the said Gordon to me at these headquarters within ten days from this date, or drive him out of the country, I shall send a force to your city with orders to reduce it to ashes, and to burn the house of every secessionist in your county, and to carry away every slave.

"Colonel Jennison's regiment will be entrusted with the execution of this order.

"The following persons are particularly directed to this notice: David Hunt, Clinton Cockerill, James Merryman, Robert Cain, John Murray, H. T. Freeland, William Paxton, W. C. Bemington, Andrew Tribble, R. P. S. Ely, Jackson Miller, Robert Clark, W. Tutman, H. M. Cochrane, Samuel M. Hayes, Joseph Todd and Jonas Burkhart.

"D. HUNTER,

"Major-General Commanding."

This was a strong proceeding; but, as in the case of the old man and the boy stealing his fruit—milder measures only excited rebel derision. He therefore resorted to the stern rule of holding the enemy's immediate sympathisers responsible for their outrages. Jennison, schooled in suffering and wise from his own wrongs, was not a man to shrink from extreme measures against those who, as "border ruffians," had caused so much blood-shed on Kansas soil in 1856.

But, no efforts seemed to avail. Even after the retreat of Price's forces,\* the reign of ruffianism continued. Under date of December 26th, Halleck was forced to proclaim martial law "in and about all the railways in the State"—thus reviving another of Fremont's much maligned measures. One by one the instruments adopted by "the Pathfinder" to suppress the rebellion in Missouri, were resumed as the only treatment adapted to the unusually malignant and cruel type which the insurrection in Missouri assumed. The order was promulgated owing to sudden and apparently preconcerted (second) efforts of the secessionists to burn bridges and destroy property. When Price's army retreated, large numbers of his recruits, which

\* The General stated to his troops that he had retreated by orders from the Confederate headquarters. As the retreat was a flight upon compulsion, his "orders" came rather late to save his military prestige.



Efforts to Suppress  
Guerrillas.

had been gathered from the river counties, returned to their homes, professing to

accept the amnesty offered by Halleck to all who would lay down their arms. These men, as in most cases of those taking the oath of allegiance, accepted the clemency extended only that they might the more effectually strike their foe. Honor and principle alike were dead virtues in the Confederate breast when "the Yankees" were concerned. And this was not strange when we consider that their cause was grounded in dishonor. A letter from St. Louis, December 27th, said: "A new secret secession organization, confined to this State, has been discovered, and at the proper time full particulars will be given to the public. The oaths and obligations are of the most diabolical description, and bind the members 'to do anything' to overthrow the present Government of the United States." Anything for success! was the pass word.

At length, however, the vigilance practiced by the several excellent officers in command along the lines of the roads, succeeded in breaking up the principal organized gangs of marauders. On the 2d of that month it was said from St. Louis: "Dispatches received at Halleck's headquarters announce the capture of the notorious Jefferson Owens, Colonel Jones and fifty of their bridge burning gang, near Martinsburg, Adrian county, by General Schofield, commander of the State militia, and the various guerrilla bands along the north Missouri railroad have been pretty thoroughly scattered."

Further arrests occurred, in which the First Kansas, Colonel Deitzler, took an active part. This regiment held Lexington after its second occupation, and succeeded in securing comparative peace to that immediate section; but, here and there the spirit of incendiarism would break forth. It may be said the central section of the State was not actually freed from these visitations of the enemy until late in the spring of 1862. The numerous conflicts with bands of guerrillas, the chase and exploration for them, would form, if written, a very exciting and novel chapter. Such encounters were not always

bloodless; they were, on the contrary, quite generally accompanied with bloodshed

and frequently proved of a sanguinary character. The affair at Silver creek (January 8th) was of this nature. Major Torrence, of the First Iowa cavalry, was put on the track of the rebel emissary Colonel Poindexter, who, as a recruiting agent for the cause of Governor Jackson, had established a camp of rendezvous at Silver creek, in Howard county, as well as minor camps in Roanoke and Johnson counties. The Major scoured the country around thoroughly. At length, joined by Major Howard's battalion, a section of Colonel Merrill's dragoons under Major Hunt, and one company of the Fourth Ohio, Captain John Foster, the camp at Silver creek, about thirty miles north of Boonesville, was assailed. It was a most gallant affair, in which officers and men vied in valor. The enemy after a sharp defense fled, leaving the entire property of the camp, even their supplies.

Major Torrence destroyed every thing of value and returned to Booneville to receive the thanks of his commander for his dashing little "guerrilla campaign." The loss of the rebels was twelve killed, twenty-two wounded and fifteen prisoners. The Federals lost three killed and ten wounded. Colonel Jennison's rangers scouted the counties along the Kansas line so thoroughly, and acted with such decision, as to rid that section of the most malignant evil-doers. His procedure though severe was called for by the treachery of many of the people, and the unsparing cruelty of the guerrilla bands which they assisted to maintain. To General Prentiss was assigned the 'Army of North Missouri.' His labors were directed to keeping open the Hannibal and St. Joseph railway. To anticipate the bridge burners in their efforts he fell upon the rebels at every opportunity. The attack at Zion's Church in Boone county, amounted to a battle—the rebel loss being twenty-five killed, a large number wounded and thirty prisoners. By this rapid stroke a strong rebel organization under Colonel Dorsey was broken and effectually scattered (Dec. 28th). It was the last

Efforts to Suppress  
Guerrillas.



of Jackson's recruiting offices in the very heart of the State.

Halleck's Proceedings  
Against Secessionists.

Halleck carried out his administration with a firm hand. His military rule was rigid but not oppressive except to secessionists whose conduct rendered them amenable to Orders. St. Louis swarmed with these "friends of the South," who were, chiefly, persons of wealth, wedded to the South by close affinities or by trade. Upon this class Halleck's order No. 13, levying contributions to support the refugees, bore with some severity. Several of those assessed refused to comply with the demand; whereupon the General-Commanding ordered out an execution under which property was seized, to cover the first assessment and twenty-five per cent. additional, as provided for in order No. 24. This action was resisted by a replevin process served on the Provost-Marshal, at the instance of one Samuel Engler. Halleck instantly committed Engler and his attorney to prison, and an order soon issued banishing Engler beyond the lines of the Department. All this higher-authority proceeding created great excitement; but, that it was required, none who knew the dangers of a civil process from a Missouri court could deny. In the special order of banishment Halleck thus

laid down the law: "Martial law having been declared in this city by authority of the

Halleck's Proceedings  
Against Secessionists.

President of the United States, all the civil authorities, of whatever name or office, are hereby notified that any attempt on their part to interfere with the execution of any order from these headquarters, or impede, restrain, or trouble any officer duly appointed to carry such order into effect, will be regarded as a military offense, and punished accordingly. The Provost-Marshal-General will arrest each and every person, of whatever rank or office, who attempts in any way to prevent or interfere with the execution of any order issued from these headquarters. He will call upon the commanding officer of the Department of St. Louis for any military assistance he may require."

After this there was very little interference with the military power; and the decision then shown did more to "subjugate" the disloyal element than a great victory over Price and Rains.

The operations in Grant's district during January properly constitute the preliminary narrative to the expeditions against Forts Henry and Donaldson. We therefore reserve their details to one of the opening chapters of Volume III.

## CHAPTER VIII.

ROSECRANS IN WESTERN VIRGINIA. OPERATIONS AGAINST FLOYD AT NEW RIVER. FLOYD'S RETREAT AND ESCAPE. THE GUY-ANDOTTE MASSACRE. ROSECRANS IN WINTER QUARTERS. ADDRESS TO HIS TROOPS. FLOYD'S ADDRESS TO HIS MEN. GENERAL KELLEY'S OPERATIONS AT ROMNEY. GOVERNOR LETCHER ON FEDERAL "USURPATIONS."

Disposition of Troops.

By orders promulgated November 9th, 1861, reorganizing the several military departments, Brigadier-General W. S. Rosecrans was assigned the Department of Western Virginia [See page 414]. His forces November 1st,

were disposed as stated on page 316. In addition to

Disposition of Troops.

the forces there named, were Reynold's troops holding Cheat Mountain; and still further north, guarding the line of the Baltimore and Ohio railway, was General B. F. Kelley's



Disposition of Troops. command at New Creek, from whence, by a forced night march, it fell upon Romney (October 26) and, after a sharp struggle, secured that rebel headquarters with much stores, provisions and arms. This command, however, passed into the Department of the Cumberland, and therefore was not reckoned as part of Rosecrans' disposable strength, although he relied upon it to operate against General Lee, then still in camp at Greenbrier, should he attempt to move north.

Attack on Floyd's Stronghold. Rosecrans, having matured his plans for encompassing Floyd and for bagging his entire host, proceeded to work by ordering Benham with his brigade to cross the Kanawha at Deep creek, thence to advance up the creek to the rebel rear, striking the Raleigh road below Fayetteville. Floyd had advanced to the line of the Kanawha river just above Gauley river mouth, where his cannon commanded the communication between the upper and lower camps of Rosecrans' brigades. He was strongly posted, and prepared for obstinate work. His camp at the mouth of Laurel creek was backed by entrenchments, at Dickerson's, on the road to Fayetteville. His avenue of retreat, if such a contingency should occur, was by the road (turnpike) from Fayetteville to Raleigh C. H. Thus, it will be seen, that Benham's part of the programme was of the most important nature; celerity of movement would determine all; by his occupation of the turnpike Floyd could not escape except by cutting Benham to pieces. For the front assault, it was arranged to use a deserted ferry on the Kanawha (called New river above the confluence with the Gauley) which would permit an approach to Fayetteville *direct*, and thus at once bring matters to an issue. After incredible labor Major Crawford with his pioneers (regulars) succeeded in landing boats and floats at the ferry; but, at the critical moment, the waters suddenly came rushing along in a great "rise," rendering it impossible to use the floats without a risk of drowning all the men. This approach had, therefore, reluctantly to be abandoned. Rosecrans hereupon determined to strike Floyd's position by a flank movement over the Kanawha

just *below* the Gauley river junction by way of the Montgomery ferry. As pre-

Attack on Floyd's Stronghold.

liminary to this it was necessary to dislodge the enemy from Cotton Hill. A detachment from Cox's brigade, consisting of Colonel DeVilliers' men and Major Leeper's battalion of the First Kentucky, crossed at once and gallantly carried the hill by storm, Nov. 12th, with some loss. The rebels fell back upon their entrenchments at Dickerson, three miles away, when Rosecrans ordered Benham to hasten forward to Cassidy's mills, a point from whence to precipitate his column upon the Fayette and Raleigh road should Floyd attempt a retreat. Benham's tardiness, and the division of his command, lost all at the moment of victory. The

Floyd's Escape.

enemy, instead of standing at Dickerson's, fled without a halt, and Benham arrived Nov. 12th at *Cotton Hill* to find Floyd gone and Cox's men in possession. There he remained until the afternoon of the 13th, when he pressed forward to the pursuit. Coming up with the enemy's rear guard at McCoy's mills, on the Raleigh pike, Nov. 14th, a sharp fight occurred, by which the rebel cavalry was defeated with the loss of their Colonel, St. George Croghan, formerly of the U. S. A. The pursuit then continued, the enemy fleeing in the greatest disorder, absolutely lining the road with their cast away property. But, the Federal commander, from some unexplained reason, pursued so leisurely that the enemy and his heavy train kept in advance. Late in the evening of the 14th, General Schenck ordered the pursuit discontinued—the second great mistake of the day. A strong column of fresh troops could have annihilated the runaways. Benham's men were much exhausted by their heavy day's work, though it remains to be shown why he could not pursue with his light troops as fast as the enemy with his lumbering trains could flee.\*

\* This version of Floyd's escape we give after a patient study of all the documents submitted in the case. Benham in his report labored to give the reasons for his several movements, but no explanation, we hold, should suffice for a total miscarriage of a plan so palpably proper as that comprised in his original orders—to prevent the enemy's retreat. It



## Floyd's Escape.

Floyd was severely castigated at home for this inglorious end of an inglorious campaign. His brigade went into winter quarters near Peterstown. Instead of serving his beloved Virginia in the capacity of deliverer, the State was only too glad to be delivered of him. He was, in consideration of his eminent services to the Confederacy, given a command in Kentucky, where he soon added new laurels to his increasing fame by "retreating" from Fort Donaldson and leaving the more plucky Buckner to his fate. The wags had it that his propensity for *stealing* did not render it safe for him to remain and be captured; therefore he stole away.

## The Guyandotte Massacre.

The "massacre" at Guyandotte, Western Virginia, and the subsequent destruction of the village by the enraged Unionists, gave a sad illustration to the malignant character of the war on "the border." About eight o'clock on Sunday evening, Nov. 10th, the village was suddenly assailed by a troop composed of about 350 horsemen (guerrillas) led by A. G. Jenkins. In the village were about one hundred men of Colonel Whaley's Ninth Virginia, and thirty-five cavalry of the Virginia Fifth—the nucleus of two regiments forming for the Federal service. No precautions had been taken against attack as no enemy was supposed to be in that vicinity. "Colonel" Jenkins, whose force was not far distant, heard, through his emissaries in the village, of the true state of affairs, and came down upon the place to find the men enjoying themselves individually—some being at church, others visiting in families and but

was the business of *other* brigades to occupy Cotton Hill, to cross and assail Floyd in front. Benham's sole business was to be prepared to intercept the enemy; and, when he came down upon Cotton Hill, instead of out on the Raleigh road, it was a criminal departure from orders and duty. In his defense (as published in the *New York Tribune* of December 14th, 1861) great stress was laid upon his various communications with Rosecrans and Schenck, but no excuse can be offered to satisfy a patient public that his tardy movements were otherwise than inexcusable. We have given this officer credit for his share in the pursuit of Garnett; now we give him blame for his share in the escape of Floyd.

## The Guyandotte Massacre.

few "at quarters." The alarm was first given by the rush of horsemen down the main street, followed by the shouts and reports of conflict. The struggle was more of a rout than a contest; yet Colonel Whaley succeeded in gathering about forty men, with whom he fought desperately until overpowered and captured. All night long the fight was waged. The soldiers were hunted for in houses, in out-buildings, in wood piles and in the woods around. None were spared who offered resistance. Many escaped in the darkness and a few literally hewed their way over the Guyandotte river. Early Monday morning the steamer *Boston*, having on board the Fifth Virginia, under command of Colonel Zeigler, came up. Troops also soon poured in from various quarters, comprising the Fourth Virginia from Point Pleasant, the Gallipolis artillery, &c., &c. But, Jenkins was gone, having secured prisoners, horses, stores, arms &c., as many and much as he could carry.

The hearts of all ached with the sight of blood every where visible; and the stories told by those who had escaped (some of them badly wounded) served to inflame the troops against citizens of the town. Its destruction was decreed, though it was ordered that no Unionist's building should be burned. The torch was applied by Colonel Zeigler's orders, and two thirds of the place reduced to ashes. It was a ruthless work—as uncalled for as it was pitiless; but, the moment of excitement found excuse for the act in the reputed co-operation of the secession citizen in the massacre. Guyandotte, from being a flourishing village of one thousand inhabitants, at the opening of the year, stood a charred ruin at its close—a sad memento of the "usages of war."

## Rosecrans in Winter Quarters.

After Floyd's retreat nothing remained for Rosecrans' army at Gauley but winter quarters. No enemy was there to oppose the advance against Lewisburg, but the advance with the skeleton of an army, with roads behind which defied their use by supply trains, with a wretched commissary arrangement—was madness; and even before orders came from headquarters to transfer the great bulk of the efficient force to Ke-



Rosecrans' Address  
to his Troops.

tucky, Rosecrans had resolved to retire from the field for the winter. He

reached Wheeling early in December, where, under date of December 11th, he published his address:

OFFICERS AND SOLDIERS OF THE DEPARTMENT OF  
WESTERN VIRGINIA:

"You have closed an arduous campaign, with honor to yourselves and satisfaction to your country. I honor you but those who have been with you, as I have, can fully appreciate your trials and privations.

"Your triumph has been threefold—over your own inexperience, the obstacles of nature and the rebel forces.

"When our gallant young commander was called on us, after the disaster of Bull Run, this department was left with less than fifteen thousand men to guard three hundred miles of railroad and three hundred miles of frontier, exposed to "bushwhackers," and the forces of Generals Floyd, Wise and Jackson. The northwestern pass into it was fortified and held, Cheat Mountain secured, the rebel assaults there victoriously repelled and the Kanawha valley occupied.

"A march of one hundred and twelve miles over bad roads brought you upon Floyd's entrenched position, whence the rebels were dislodged and chased to Sewell. Finally your patience and watchings put the traitor Floyd within your reach, and though by a precipitate retreat he escaped your grasp, you have the substantial fruits of victory. Western Virginia belongs to herself, and the invader is expelled from her soil. In the name of our Commander-in-Chief, and in my own, I thank you.

"But the country will expect, your Commanding-General expects, still more from you. A campaign without a defeat, without even a check, must be eclipsed by deeds of greater lustre.

"To this end I now call upon you for your own future honor to devote yourselves with energy and zeal to perfect yourselves in all that pertains to drill, instruction and discipline. Let every officer and every soldier be emulous to teach and learn the things, light infantry drill, guard duty, company discipline and police.

"Your Commanding-General proposes to procure for you everything necessary to prepare you for your coming work, and will soon organize Boards of Examiners, who will rid the service of the disgrace and soldiers of the incubus of incompetent and worthless officers, who hold the position and receive the pay without having the will or capacity to perform the duties of their positions.

"Remember, you are fighting for your country, for your flag, for your homes.

"Your enemies are implacable in their hatred of you; there is no measure of falsehood to which they have not resorted to blacken your good name; and their leaders—Beauregard and Jeff. Davis—have dared, even in solemn proclamations, to calumniate you, charging you with crimes you abhor—from these men you have nothing to expect, You must prepare to teach them, not only lessons of magnanimity and forbearance towards the unarmed and defenceless, but to thrust their calumnies and their boastings down their traitorous throats.

"Let not a moment be lost in your preparations for the task before you. W. S. ROSECRANS,

"Brigadier-General United States Army,  
"Commanding Department of Western Virginia."

At a later date (Dec. 28th) Floyd addressed his army from the camp near Dublin Depot. It was a singular document considering the results of the campaign not only to Southern arms but to Floyd's own reputation as a military commander. He said: "At its (the campaign's) close you can review it with pride and satisfaction." Nobody but Floyd could have had the hardihood to write in that strain; but, he was equal to the occasion, and declared his men to be covered with glory while their garments were yet covered with the mud of their last wretched retreat. The General afforded the clue to his pious ejaculations in his announcement to the troops that they were detailed to another field of operations—to Kentucky, where they were expected to drive back the invaders and establish constitutional liberty. How many of his men followed him to Bowling Green we have no means of knowing—probably not enough to have constituted more than a body guard for the ex-Secretary of War.

The operations of General Kelley should here be chronicled, forming, as they do, part of the Western Virginia campaign, although they were not prosecuted by direction of General Rosecrans.

General Kelley's Descent on Romney

Kelley, from his position at New Creek, determined to make a descent upon Romney, then a fortified Confederate camp and depot of supplies, under command of Colonel Angus McDonald. It was arranged to throw forward two columns—one from New Creek under General Kelley, and one from Cumberland, under Colonel Thomas Johns, in command of the "Home Brigade" West Virginia



General Kelley's Descent on Romney.

volunteers. Colonel Johns was to make a diversion by way of Springfield, to hold in hand all the infantry known to be located at the Chain Bridge, beyond Springfield, on the road to Romney, while Kelley carried Romney. Johns' part of the service was well performed; he retired, after the affair, to Oldtown, Maryland. Kelley, calling in all his disposable forces on the line of the Baltimore and Ohio railroad, west of Cumberland, started from New Creek on the night of October 25th. After a rapid and well ordered march of fifteen miles, the enemy's outposts were reached, five miles from Romney, at Mechanicsburg Gap. Having one gun in position the rebels there made a stand, but Kelley's flanking skirmishers and a single shot from a brass twelve-pounder sent them off in haste to alarm Romney. The Federal column pressed on through the Gap, coming up to the bridge over the South Branch (Potomac) in dashing style to receive the enemy's artillery fire. This was returned in kind, for a while, when Colonel Mason, of the Fourth Ohio, led his men to the bridge on a charge, while the Ringgold cavalry, Captain Keyes, dashed through the river. Kelley's whole force, rapidly filling the road to the bridge, advanced with the charge. The enemy stood but a moment. Their entrenchments were abandoned and a rush made for Romney (one and a half miles away). The Federals pursued as rapidly as possible—the cavalry scattering all before it. But the enemy was fresh—his pursuers were exhausted. Most of the troops occupying the post, therefore, escaped, leaving behind their property of every kind except what was on their backs. The captures consisted of horses, thirty wagons, two cannon, ammunition, camp equipage for seven hundred cavalry and five companies of infantry (the rebel force then holding the post), several hundred stand of arms, a mail, and stores of clothing, provisions, &c., designed for the future use of forces operating in that region. The Federal loss was remarkably small—only one killed and twelve wounded. The enemy's loss never was ascertained. Eight killed and fifteen wounded were found on the field. Only about sixty prisoners were secured. The enemy retired to Winchester,

against which it was supposed Kelley had designs.

That post was, therefore, strengthened, while Loring's command at Lewisburg was despatched to reenforce Lee's forces at Greenbriar, fearing a simultaneous advance of Reynolds to form a junction with Kelley.

That little diversion annoyed the Confederates greatly. They beheld in it new plans for their subjugation, and for two weeks hurried regiments to and fro within their lines along the Upper Potomac, in expectation of further disasters. But, the enterprise was Kelley's own;\* and, having no connection with any more serious movement, amounted to nothing further than a gallant dash and the occupancy of the enemy's post as Federal winter quarters.

Early in December General Milroy conceived the plan of an attack upon the enemy's entrenched camp on Alleghany Summit, where the mountain is crossed by the turnpike leading west, from Staunton through Monterey to Cheat Mountain. The point aimed at was, in distance, from Cheat Mountain (Reynolds' position) twenty-two miles and ten miles east of the Greenbriar camp, "Bartow," which Reynolds had "reconnoitered" on the 3d of October [see page 316]. To that entrenched camp the rebels had retreated after the affair of October 3d. Most of Lee's command had then been withdrawn. The Summit was held by two Georgia and one Virginia regiments, two battalions Virginia volunteers and two field batteries under the general command of Colonel Edward Johnson. The Federal commander arranged, by two descents on the position, to carry it, and thus end the only menace on his front.

General Kelley's Descent on Romney.

The Battle of Alleghany Summit.

\* General Scott ordered the dash "if Kelley deemed it feasible." The old chief delighted in these spirited diversions, and very properly regarded them as a very effective means of worrying and distracting the enemy. Those who came after him, acting upon the principle of a 'grand compression,' rarely resorted to these detached assaults. Seeing this, the rebels, under Jackson and Stewart, adopted Scott's tactics and worried the Federal commands very materially by their "raids" and unexpected appearance at unprepared points.



General R. H. Milroy assumed command of the expedition. His force consisted of detachments from the Ninth and Thirteenth Indiana, Twenty-fifth and Thirty-second Ohio, Second Virginia and Bracken's cavalry—in all three thousand two hundred men. The advance was made to the enemy's old camp, "Bartow," Dec. 12th, where a halt was made, at dusk. The force was then divided—the Ninth Indiana, Colonel Moody, and Second Virginia, Major John B. Milroy, being dispatched, at 11 P. M., to reach the enemy's left, by way of the "old" Greenbriar road. The rest of the force remained at camp Bartow until one o'clock on the morning of the 13th, when it advanced direct upon the Summit, by way of the Staunton pike. Time enough had been given, it was supposed, for Colonel Moody to reach the mountain from the south, thus to render the attack from the right and left simultaneous. The right attack was led by the Twenty-fifth Ohio, Colonel James A. Jones, who, deflecting from the pike, led the advance up the steep mountain side and came out near the enemy's work at day-break, to find them quite ready for the assault. Johnson was not surprised. The Federals halted their command, proposing to wait the signal of Colonel Moody's appearance on the left; but, doubtless divining the plan, the rebel commander threw his forces once into the fight. The entire Federal infantry was soon under a severe fire of musketry and artillery. The conflict was at near quarters for awhile, when the rebels retired from their works, evidently to draw out their antagonists. The Federal lines closing up, again the rebels advanced, pouring in a murderous fire. The lines wavered for a moment and some of the men showed symptoms of flight, but were held firmly by the excellent example of their officers. The rebels were a second time compelled to withdraw, when they immediately attempted a flank movement. In this they were repulsed. They then quickly flew to the Federal left and attempted to turn it, but were foiled and pressed back to their works in a gallant manner. Three more attempts were made to break the lines of Milroy, but in every instance, the Confederates were unsuccessful. The column

of Colonel Moody, detained by obstructions and bad roads, did not appear. Out

of ammunition, with a considerable loss in killed and wounded and a serious loss by the skulking of many of the raw troops, Milroy determined to draw off his forces. This he did, in comparative order—Bracken's cavalry (which had not been engaged) covering the retreat in an excellent manner. It was then (eight o'clock A. M.) that Colonel Moody's force appeared upon the enemy's left, and for three hours he fought the foe in real Indian style, from behind trees and stumps. Finally, Milroy called off the "irrepressibles," and with his command returned to Cheat Mountain, confessing to a repulse. His total loss was twenty killed, one hundred and seven wounded, thirty missing. The rebel loss not known—probably equal to that of the Federals. The want of artillery, total inability to use the cavalry, the unexpectedly great force of the enemy, the failure of the two columns to conjoin attack, were offered as reasons for the miscarriage of the adventure.

This affair was followed by a descent upon Huntersville. Learning that the enemy had a valuable depot of supplies in that place, Milroy determined upon its destruction, and thus place the rebels in the mountains on short allowance. He detailed Major Webster of the Ohio Twenty-fifth to the work. With four hundred of his regiment, three hundred of the Second Virginia, and thirty-eight of Bracken's Indiana cavalry, the Major put out on the afternoon of December 31st, passing by way of Elk mountain. Huntersville was fifty-two miles away—"Virginia miles" as the troops said; a thick coat of snow lay on the ground and the weather was intensely cold. It was the very time for a surprise. The Federals pressed on, suffering much from weariness and exposure, but keeping up joyous spirits at the prospect of "a brush." In three days the point was reached, to find the enemy aware of the approach. Their scouts had discovered Webster's camp the previous night, and had hastened to alarm the post. But, the force there was too small to offer any material opposition, and Webster, after a gallant dash and

The Battle of Alleghany Summit.

The Battle of Alleghany Summit.

The Expedition Against Huntersville.



The Expedition  
Against Huntersville.

skirmish, found himself in possession of the place. It was, as reported, a heavy supply depot. Six buildings were filled with stores, chiefly provisions—flour, beef, groceries, forage, &c. These were all fired and destroyed. The assailants retired the same afternoon, as the alarm had spread to other posts and the rebels were hurrying up to save their precious possessions. They came too late—their winter food was in ashes, and Staunton, thirty miles away, had to be resorted to for supplies.

Expedition Against  
Blue's Gap.

Kelley's troops in Romney broke the *ennui* of picket and guard duty by an expedition to Blue's Gap where Colonel Blue had gathered a considerable body of "bushwhackers" who annoyed the country much by their operations. The Federal force consisted of the Fourth, Fifth, Seventh and Eighth Ohio, Fourteenth Indiana and First Virginia, with two companies of cavalry, Danvers', and a section of Howard's battery, in all about two thousand five hundred men under command of Colonel Dunning of the Fifth Ohio. It moved out just after midnight January 6th. The night was very cold but the march was rapid and the vicinity of the Gap was reached just after day-break (7th). The rebels were not entirely surprised, however, for Dunning's advance skirmishers found them tearing up the flooring of the bridge leading over the stream coming in through the Gap. The Fifth Ohio rushed on over the bridge, secured Blue's house and obtained a negro woman as guide to the enemy's stronghold up on the mountain. No delay occurred. The entrenchments on the hill were carried by assault—the Fifth Ohio doing the work. The rebels stood for five rounds, then broke and ran, as the Ohioans began to swarm in over the embankments. The Fourth Ohio was at hand to catch the flying ragmuffins, of whom thirty-five were secured—as hard looking creatures as the mountains could produce, their ugliness only inferior to their ignorance. Blue's property was burned to the ground. Forty of the enemy were killed

and as many taken prisoners. A herd of cattle was secured and driven into Romney, together with all the wagons, stores and ammunition of the rendezvous. Colonel Blue did not persecute his neighbors of Union proclivities any more that season. The Federals, in returning, disgraced their cause by firing several houses on the way—an act for which Kelley was justly indignant, but for which no one was punished.

We cannot close this chapter of Western Virginia history without advert-

Governor Letcher's  
Fulmination.

ing to Governor Letcher's fulmination (January 6th, 1862) against the Federal Administration for its "unconstitutional" course in recognizing the Western Virginia (Union) Government, and for its other acts of violence toward the "Mother of Presidents." We give the document in the Appendix. It is at once the Southern indictment of the Administration\* and the Southern Declaration of perpetual enmity of the North. Those who plead the cause of the South will find, in this message, the leads of their discourse manufactured to order. We therefore append it, that none who wish to judge from a hearing of both sides of the question may be without the proper data. If we have, from our own stand-point of loyalty to the Union—the Union even before the Constitution, it may be—severely judged the course of the Secessionists in Cabinet and Convention, it shall not be said we have made an *ex parte* exposition of the questions involved. We have given (some readers will say to an immoderate extent) every "representative" Southern document, and can hope for no fuller justification of our views and inferences than will come from that class of dispassionate and discriminating readers who first read everything the Southern leaders have to say in their own defense.

\* The reader will remark a striking similarity between this document and those emanating from the "opposition" Governors in the Northern States, elected in the fall of 1862. A sequent of the likeness would naturally be an assimilarity of sympathy as well as of constitutional views.



## CHAPTER IX.

### MCCLELLAN'S COMMAND IN CHIEF. OPERATIONS OF THE ARMY OF THE POTOMAC FROM NOVEMBER 1ST, 1861, TO FEBRUARY 1ST, 1862.

MCClellan's Repudia-  
tion of Stone's Move-  
ment.

MCClellan, in his sub-  
report (Nov. 1st) to the  
Secretary of War regarding

the Ball's Bluff disaster, and referring to his orders to General Stone of October 20th, expressly stated that he "did not contemplate an attack upon the enemy or the crossing of the river in force by any portion of General Stone's command." This is confirmatory of our statement [see page 343] that Stone alone was responsible for the movement *in force* over the river. In that report McClellan also declares the advance upon Dranesville made by McCall, October 19-20, was but a reconnoissance, from which he was ordered to retire again to his old camp at Langley's, October 20th, and McCall so did retire, October 21st. The gradual withdrawal of the enemy from McClellan's front was not followed by a corresponding evacuation of their positions on the line of the river above Washington, and the General sought by his diversions either to drive the rebels back from Leesburg and Harper's Ferry or to give them a chance to show if their intent was to try and retain the line of the Upper Potomac. The result of the battle of Ball's Bluff was such as to induce a recall beyond the Potomac of all the forces ordered forward to sustain Stone's movement, since it demonstrated the impracticability of holding ground in face of the adverse concentration indicated. The entrenchments thrown up at Leesburg indicated the enemy's design to retain their positions above Washington.

This retirement, and the falling back of Geary from Bolivar Heights after his gallant action on the 16th of October, gave the Confederates the entire possession of the country from Harper's Ferry to Leesburg. Banks

was, therefore, held closely  
along the Maryland line of  
the river opposite, with

headquarters at Poolesville and Darnestown, having an army quite sufficient to keep the enemy at bay until such time as McClellan's advance should compel the enemy to concentrate his entire strength to the south, to cover his own menaced capital. This is the simple history of that long, inactive campaign in camps along the Upper Potomac. Why a portion of the "grand army" was not spared to press down the Shenandoah valley, or why Rosecrans was not so strengthened in the Kanawha valley as to threaten Richmond from the west, are among the unexplained matters of the fall of 1861. Bad roads and want of transportation were the excuses offered at the time by apologists; but, that excuse lost its popular effect when urged as the sole reason for the loss of every campaign or heavy movement which ended disastrously to our arms.

The key to General Mc-  
Clellan's movements during  
the four months succeeding

MCClellan's Repudia-  
tion of Stone's Move-  
ment.

MCClellan's Suprema-  
cy of Command.

his installation as General-in-Chief is found in the mere fact of his appointment to that position after what had transpired between Scott, McClellan and the War Department. Under date of October 4th, 1861, the General-in-Chief, complained of McClellan's insubordination—citing evidences of glaring breaches of military usage and of the Articles of War. After citing the evidence Scott wrote:

"Has, then, a senior no corrective power over a junior officer in case of such persistent neglect and disobedience? The remedy by arrest and trial before a Court-Martial would probably soon cure the evil; but it has been feared a conflict of authority



near the head of the army would be highly encouraging to the enemies and depressing to the friends of the Union. Hence my long forbearance, and continuing (though but nominally) in duty. I shall try to hold out till the arrival of Major-Général Halleck, when, as his presence will give me increased confidence in the safety of the Union and, as I am unable to ride in the saddle or walk, by reason of dropsy in my feet and legs and paralysis in the small of the back, I shall definitively retire from the army."

There is a volume of history in this paragraph. If McClellan was named to the position after the citations of a superior officer charging him with insubordination, all authority over him was at an end. He was supreme.

The Grand Army. The position and strength of the several divisions of the Army of the Potomac when the forward movement upon Manassas was, apparently, entered upon, were about as follows :

I. General George A. McCall, at and opposite Great Falls, stretching down to Langley's : twelve regiments infantry ; one of cavalry ; two full batteries.

II. General Wm. F. Smith, at and opposite Chain Bridge, with lines advanced to Miner's Hill : ten regiments of infantry ; one of cavalry ; two batteries.

III. General Fitz-John Porter, with lines from Miner's Hill to Falls Church : thirteen regiments of infantry ; two of cavalry ; three batteries.

IV. General Irvin McDowell, from Falls Church to Munson's Hill : eleven regiments of infantry ; one of cavalry ; three batteries.

V. General Louis Blenker, from Munson's Hill to one mile south of Mason's Hill : eleven regiments of infantry ; one regiment of mounted riflemen ; two batteries.

VI. General Wm. B. Franklin, from Blenker's lines to Springfield : twelve regiments of infantry ; one of cavalry ; three batteries.

VII. General Sam'l P. Heintzelman, from Springfield to the Accotink and Alexandria road : seven regiments of infantry ; one of cavalry ; two batteries.

VIII. General Edwin V. Sumner, west bank of Potomac below Alexandria : twelve regiments of infantry ; one of cavalry ; three batteries.

IX. General Erasmus D. Keyes, at and around Springfield (on the Orange and Alexandria railroad) : seven regiments of infantry ; one of cavalry ; two batteries.

Here were ninety-six regiments of infantry,

ten of cavalry and twenty-two batteries — all field

The Grand Army.

forces, *exclusive* of those manning the defenses of Washington, which were numerous and powerful erections, more or less elaborate in construction and occupying an arc stretching from Great Falls, ten miles above Washington, to the Accotink Creek, fifteen miles below the city.\* As the regiments were all then very nearly up to the standard, (1010) the force ready for the advance was above one hundred thousand. In this estimate it will be perceived the troops of Banks, Dix, Lander, Wool, &c., are not included, although each of these commands performed its part of the programme for pressing back the enemy. These figures only represent the strength of the divisions represented in the first grand review, Nov. 20th, in which seventy thousand splendidly equipped men participated. Not a day passed up to the 28th of January, 1862, that accessions were not made to the arms of all kinds above enumerated, until McClellan confronted the Confederate seventy thousand in and around Manassas with twice seventy thousand of as superb soldiers as the world ever beheld.

A reference to the Summary, No. VI., will advise

McClellan's Advance.

the reader of the several reconnoissances and advances made during November, December any January by McClellan's force. Slowly as his troops pressed outwardly, by the very weight of numbers, the Confederates withdrew — first from Munson's Hill, then from Vienna, then from Fairfax C. H. The advance from the northern wing of the army was, however, less marked. Up to Dec. 20th, when the heavy skirmish at Dranesville occurred, the division of McCall had not permanently advanced from the camp in front of the Falls. That skirmish proved the enemy to be on the alert. Although the rebel force then engaged was but a foraging party under Stuart, from Centreville, the intervening fifteen miles of country was daily scouted by them, while beyond, in the "Valley of Virginia," their possession was almost undisputed. They cannonaded Dam No. 5 at their pleasure, and,

\* See pages 342-43 for list of separate works constituting these defenses.



on the 20th, shelled it with great fury in hopes of accomplishing its destruction, thus to render impossible Federal communication by the Chesapeake and Ohio Canal. On the

17th Jackson marched from  
Jackson's Advance.

Winchester to Martinsburg with five thousand men. At the latter place he was reenforced by about two thousand seven hundred. He bore with him boats for a pontoon, proving that his purpose was to cross the Potomac. He struck the river at a point three miles below Williamsport, where the cannonade of the dam above referred to transpired. That furious waste of powder and shell evidently covered the rebels' real design, which was a descent on Williamsport, to secure the heavy store of flour and salt deposited there, as well as to lay hands on the specie of the Washington County Bank. The rapid concentration, at that then much exposed place, of the regiments of Generals Hamilton and Williams' commands, however, prevented the passage of the rebels at Falling Waters; and thereafter the demonstration seemed to be confined to the destruction of the dam. The artillery duel which followed was of the most exciting nature. Best's and Knapp's batteries responded from the Federal side—the first against the enemy's position at Falling Waters, and Knapp, with his two Parrott pieces, protecting the dam.

The forces above Wil-  
Lander's Operations. liamsport were of Lander's command. This gallant officer was placed in charge of the "Department of Harper's Ferry and Cumberland," created by General Order 91, October 24th, with the design of covering working parties on the Baltimore and Ohio railroad between these points. His troops were composed of Maryland and Virginia volunteers—raw levies, but effective, for under his vigilant eye they soon became skilful soldiers. Protecting their own property they were doubly interested and so secured the line of that road around Cumberland as to render that point safe, though the general want of energy in crowding the enemy back from the line of the river, from Williamsport to Leesburg, really left Lander only a post occupation at Cumberland. The failure to occupy Leesburg, Harper's Ferry and the neck opposite Williamsport, in November,

was one of those marked defects of the campaign which no good authority has yet accounted for or excused.

The "eastern counties"

of Virginia, lying east of  
the Potomac, were invaded

Occupation of the  
"Eastern Counties"

by orders from General Dix dated Nov. 13th. About four thousand troops under command of General H. H. Lockwood passed into Accomac and Northampton counties on the 17th, by transports from Baltimore, and a permanent occupation made. The proclamation prepared by General Dix was published and very freely disseminated. Its tone certainly was not like that of an enemy. We may quote :

"The military forces of the United States are about to enter your counties as a part of the Union. They will go among you as friends, and with the earnest hope that they may not, by your own acts, be forced to become your enemies. They will invade no rights of person or property; on the contrary, your laws, your institutions, your usages will be scrupulously respected. There need be no fear that the quietude of any fireside will be disturbed, unless the disturbance is caused by yourselves. Special directions have been given not to interfere with the condition of any persons held to domestic service, and, in order that there may be no ground for mistake or pretext for misrepresentation, commanders of regiments and corps have been instructed not to permit any such persons to come within their lines."

The most effective reassurance appeared to be in proclaiming that runaway negroes should be bayoneted back to their masters. As Henry A. Wise's plantation was thus protected in its "property" the "invasion," even to that arch enemy of the Republic, was not so serious a matter, after all. The malignant return made for such clemency [see Letcher's Message, Appendix, page 524,] placed the Federal authorities, viewed with reference to succeeding events, in a very absurd predicament; but, that was the policy then prevailing, East and West; the *status* of the negro was not to be disturbed even though his bondage gave the greatest possible "aid and comfort to the enemy." There were nine thousand slaves in the two counties to a white population, before the rebellion, of about thirty-three thousand; but many of the whites were then in arms against the Union. Those remaining outwardly welcomed the advent of the Federal forces: covered by the ægis



Occupation of the  
"Eastern Counties."

of such a proclamation, what had they to complain of or to fear? Lockwood landed at Newtown, Maryland; then march-through to Horntown, then to Drummond-town, where the United States flag was found flying before the Court House. The militia, organized under Letcher's orders, voluntarily disbanded; every Confederate flag and symbol of rebellion disappeared, and the occupation proved a source of prosperity to the people. To the rebels it was a sore affliction, since they drew from those two counties immense supplies of cereals and forage. All commerce with the western shore was suspended; the light-houses along the river were relit; the Courts and County offices were reopened; and, generally, affairs assumed a pleasant face. Lockwood, in his sub-proclamation, dated Drummondtown, Nov. 23d, authorised the "judges, magistrates, and other civil officers to continue in their several offices and perform all and every function of the same conformably to the Constitution of the United States, the law of Virginia, previous to the 'ordinance of secession,' except so far as modified or changed by any subsequent act of the Legislature sitting in Western Virginia, and the laws passed by said Legislature, sitting in Western Virginia, subsequent to the passage of said act of secession." The only additional requirement was for the office holders to take the oath of allegiance to the United States.

Official Acknowledgement of the Western Virginia Government.

This acknowledgement, by the Federal officers, of the authority of the Western Virginia Legislature, was in furtherance of the Executive policy in the treatment of the case. It was a sound procedure, which only had to be adhered to, to cloak all of Virginia with the vestment of loyalty when the State should all be redeemed. General Order 99, dated Nov. 14th, and issued from headquarters, made public the administrative policy adopted. It read:

"HEADQUARTERS OF THE ARMY,  
ADJUTANT-GENERAL'S OFFICE. Nov. 14, 1861. }

"Complaint has been made to the President of the United States that certain persons within the State of Virginia, in places occupied by the forces of the United States, claim to be incumbents of civil

offices—State, county and municipal—by alleged authority from the Commonwealth of Virginia, in disregard and violation of the declaration of the people of Virginia, represented in Convention at the city of Wheeling, on Thursday, June 13, 1861, and of the ordinances of said Convention, and of the acts of the General Assembly, held by authority of said Convention. It is therefore ordered, by direction of the President, that if any person shall hereafter attempt within the State of Virginia, under the alleged authority of said Commonwealth, to exercise any official powers of a civil nature, within the limits of any of the commands of the occupying forces of the United States, unless in pursuance of the declarations and ordinances of the Convention assembled at Wheeling on the 13th day of June, 1861, and the acts of the General Assembly, held by authority of said Convention, such attempt shall be treated as an act of hostility against the United States, and such persons shall be taken into military custody. Commanding officers are directed to enforce this order within their respective commands.

"By command of

"Major-General McCLELLAN.

"L. THOMAS, Adjutant-General."

It is to be regretted that partizan "politics" with its baleful breath for power, ere long came forward to create a *new State* of Western Virginia, whose limits only extended on the east to the western crest of the Alleghenies—thus leaving all that portion of Eastern Virginia occupied by our forces without a civil loyal power for recognition. That such a creation was unconstitutional is plain to any reader of the Constitution. It says (Art. IV. sec. 3.):

"New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States—without the consent of the Legislatures of the States concerned as well as of the Congress."

The wiser—nay, the shrewder—policy was to recognize the Western Virginia Government as the State Government *de facto* of Virginia, as was done in the above orders. The subdivision of the State is another of the sins of commission for which the Federal Congress and President must answer.

It is well here to look over the lines to see how the enemy regarded affairs, in a military sense, at the close of the year 1861. That they were both jubilant and depressed the



Rebel Views of  
"The Situation"

tone of their journals prove  
—jubilant over their mili-  
tary successes but depress-

ed at the formidable attitude of the Federal Government and the failure of all their schemes for a foreign recognition. Their successes were conceived to have been decisive, east and west—were so avowed by Davis in his message of Nov. 18th, as well as by the press generally. There was complaint at the want of greater success. Those opposed to the "defensive" policy adopted by Davis, conceived it possible to have winter-quartered their armies on Northern soil; and their organs, while accepting the general results of victories won, still declared the past campaign but a comparative success. [See the article quoted in Appendix, page 523.] There was no fear of McClellan's approach. The *Richmond Dispatch* of Dec. 23d, said: "It is the warm sun that brings out the ad-der. The splendid season of dry weather that we have had for three weeks has hardened the earth, restored the roads, prepared the way for a grand advance of the enemy wherever he is in force. It is almost incredible that he will refuse to avail himself of the auspices which thus smooth his path. The untoward affair on Friday last at Dranesville, will probably inspire his soldiers with some confidence in themselves, and conspire with the excellent roads to invite an advance." The expectation of an advance against Manassas was as generally entertained in Richmond as in the Northern cities. The rebel Congress had prepared for such a contingency by resolving Nashville, Tennessee, as the future capital of the Confederacy; Government and State archives were put in order for immediate shipment to the interior—all in expectation of the march of the vast army around Washington upon Richmond. So certain were the Confederates of this advance that the press construed any further delay on the part of the Federals as an evidence of want of pluck, and of confidence in their cause. Said the *Dispatch*: "To refuse to fight under the influences now pressing upon it, would argue an imbecility in the North, its generals, and its armies, which could not fail to be interpreted most unfavorably against that section. Such a failure ought to

produce a total loss of con-  
fidence in the Lincoln ad-  
ministration among its own

Rebel Views of  
"The Situation."

people; and that would most probably be the real effect. Both the North itself, and more particularly the administration in power, are impelled to offer battle at this moment by necessities which seem to us as imperative as irresistible. They must fight, and we are ready for the fray. The defiant cry of the whole South is, 'Lay on, Macduff.'" If uttered by an enemy this was prophetic. None so well as the rebels themselves knew the best policy to pursue for their "subjugation:" it would have been well to have profited by their apprehensions. Earlier than this the rebel chiefs considered the advance against Manassas as a failure; and though they prepared to run, if such a necessity should arise by McClellan's springing upon them some unlooked-for strategy or energy, they still regarded the Army of the Potomac as harmless, for the winter at least. The *Richmond Examiner* of November 14th, reviewing their successes, said:

"In the Peninsula Magruder holds the enemy securely in check. In the single battle there fought the enemy was ignominiously routed. At Manassas our army has held its ground firmly, proudly and defiantly. It awaited with confidence the onset of the finest army that had been hitherto organized on this continent, and drove it back with a loss, not so much of numbers as of honor, that never will be forgotten. In its old stand point it defies the advance of the enemy. It is a standing menace and insult to the enemy. It is within twenty miles of his capital, and it means to stay there or to advance—not to fall back. *Meantime McClellan has let the best period for an attack go by. We still believe he will assail General Johnston in this position, but we have no apprehension about the result.*"

The enemy thus indicated the "situation" in Virginia, where was gathered the mightiest army this continent is likely ever to behold; and if this freely confessed scorn of Federal pluck and sagacity now has the significance of historic truth, it is not the historian's place to suppress this evidence of their prescience for fear of injury to the memory of those wholly responsible for it. The people of the North writhed under this scorn of their army; but, what could the people do? The chief in command, having adopted the



Rebel Views of  
"The Situation."

injunction of the veteran,  
Scott—to "permit no in-  
terference in his plans"—

was deaf to the public voice that besought him to *strike!* and, as the weary months waned, the dissatisfaction became so deep that the President himself was constrained to assume the authority delegated to him by the Constitution to compel an advance of his armies.

In viewing the fruits of that winter's lethargy the patriot's voice must ever be raised in condemnation—not in spite, but in righteous indignation; and, if any behold in it a deeply laid political plan to prolong the war for partisan purposes, they may be forgiven their evident misconstruction of causes from the magnitude of sad effects. The key to the want of success is, we conceive, to be found in the want of capacity to grapple the magnitude of the situation—a want of confidence in himself felt by the Commanding-General: his loyalty, his devotion to duty, his desire for success, we are sure are not to be questioned by any attentive student.

The Battle of Dranes-  
ville.

The "untoward affair at  
Dranesville," referred to by  
the *Richmond Dispatch*, we

have already adverted to, as having occurred on Friday, December 20th. On the morning of that day, the brigade of McCall's division commanded by General O. C. Ord, was ordered out on a foraging and scouting expedition toward Dranesville, to the north of its position. The force detailed consisted of the Bucktail rifles, Lieutenant-Colonel Thos. L. Kane; Sixth Pennsylvania reserve corps, Lieutenant-Colonel W. M. Penrose; Ninth, Colonel C. F. Jackson; Tenth, Colonel John G. McCalmont; Twelfth, Colonel John H. Taggart; and Captain H. Easton's battery A, of the Thirteenth, and two squadrons cavalry, Lieutenant-Colonel Higgins. McCall, apprehending an attack, ordered the brigade of General Reynolds forward to Difficult Run, where it awaited orders under arms. With his staff and escort the Division-Commander followed in the track of General Ord, to be personally present in case of emergency.

Marching by the Leesburg pike, the Federal advance, Bucktail rifles, had entered Dranesville, where the enemy's presence was

announced by firing on the  
left, up the Centreville road,  
by which about thirty-five

The Battle of Dranes-  
ville.

hundred rebels were approaching, under command of Colonel Stewart. The enemy's force consisted of the Eleventh Virginia, Colonel Garland; Sixth South Carolina, Lieutenant-Colonel A. J. Secrest; Tenth Alabama, Colonel John H. Forney; First Kentucky, Colonel Tom Taylor; the Sumter flying artillery, Captain Cutts; and detachments from Ransom's and Radford's cavalry. This force served as an escort of two hundred wagons, out, like the Federals, for forage.

The discovery of each party proved simultaneous, and the disposition for battle at once took place. The rebels deployed to the right and left of the road in the thick woods—the Eleventh Virginia and Tenth Alabama on the right, the Sixth South Carolina and First Kentucky on the left. These were pushed forward to within three hundred yards of the Leesburg pike, to the edge of the clearing. The Kentuckians first showed themselves, when the fiery Bucktails advanced upon them, and after a sharp round at short distance pressed the enemy back. The Pennsylvania reserves, after an hour's skirmishing and sharpshooting, advanced to the attack. Easton's battery, in the meanwhile, had made sad work with the rebel battery, killing all its horses, exploding two caissons, destroying one limber and killing twelve artillerymen. After the advance, the conflict was short and severe, ending in the enemy's retreat and pursuit. McCall coming up at the moment of victory, ordered the pursuit to be discontinued, fearing a flank movement from Centreville, where the enemy was in permanent force. That evening, the forage having been secured, McCall returned the whole force to his camp quarters near the Falls, taking advantage of which, the rebels again moved forward and occupied Dranesville.

The loss of the rebels in  
this affair never was made

The Losses.

known. It was severe. Ninety dead and wounded were left on the field. Seven prisoners only were taken. The enemy fought with great obstinacy—the First Kentucky particularly so. It was opposed by Colonel Jackson's regiment, whose wounded exceeded



that of all other regiments engaged. The "Bucktails" there commenced their career of honor. McCall reported his loss as seven killed, sixty-one wounded and missing.

This was the only battle proper of the campaign against Manassas. Judged by future struggles it was but a small affair, though then considered worthy of the special thanks of the Secretary of War, and serving as the occasion for recommendations for a general promotion of those engaged.

The Rebel Army in  
Winter Quarters.

The rebel army, as organized in Virginia for the winter's campaign against

McClellan, was under the chief command of General Joseph E. Johnston. The army of the Potomac was commanded by General P. T. Beauregard; First Division, General Van Dorn; Second, General G. W. Smith; Third, General Longstreet; Fourth, General Kirby Smith. General Thomas Jackson commanded the army of the Valley and General Holmes the army of Acquia. These forces opposed the Federal lines from Cumberland to Acquia. As early as December 27th they were fixed in winter quarters. Longstreet's division, including the brigade of General Stuart, held Centreville. Kirby Smith occupied "Camp Wigfall," on the Orange and Alexandria railroad. Van Dorn's brigades lay along Bull Run. Four brigades were in quarters on the Ocoquan river as far down as Davis' ford.

At Centreville formidable fortifications were reported to exist. The artillery was located between Cub Run and Stone Bridge back of Centreville, leaving enough guns in position in the fortified post of Centreville to answer for any likely contingency. In all these several commands snug huts were constructed, and, in all respects, the Confederate troops felt at home for the winter. Beauregard occupied the old Wier mansion in the first Bull Run battle-field; General Johnston took up his quarters in the Lewis House, near at hand.

Thus ends the story of the second campaign against

The "Anaconda."

Manassas, up to February 1st. Little has been chronicled of military events for little transpired: a few advances after the rebels had retired toward their winter quarters at Centreville and beyond—a few skirmishes and scouting expeditions—the collision of rival foraging parties to Dranesville—picket shooting—artillery duels along Banks' lines—that was all. The great army lay like a vast serpent, plethoric with fullness, and immobile in its lazy ease. It was, indeed, the "anaconda," whose coils were to close upon the Laocoon of treason, until it and all its progeny were strangled forever. If its agile foe never was caught in *its* coils, it still was the "anaconda," for so the people had christened it, and as such it will be embalmed in history. Alas for its memory!



# APPENDIX.

## JUDGE CAMPBELL'S STATEMENT REGARDING THE FEDERAL SECRETARY OF STATE.

THE final communication of the Confederate Commissioners to the Federal Government (given on pages 69-71) did not cover their entire statement of their case. A Message from Jefferson Davis to the Confederate Congress May 10th, 1861, was accompanied by documents of considerable interest, if not importance, as embodying the Southern presentment of their course and wishes in the matter of the evacuation of the forts, Sumter and Pickens. As Mr. Davis, in his Message, said: "It is due to you (Congress), to him (Judge Campbell), and to history that a narration of the occurrences with which he was connected should be made known," we here append the Message and accompanying documents:

### DAVIS' MESSAGE.

*"Gentlemen of the Congress:*

"In the Message addressed to you on the 29th inst., I referred to the course of conduct of the Government of the United States toward the Commissioners of this Government sent to Washington for the purpose of effecting, if possible, a peaceful adjustment of the pending difficulties between the two Governments. I also made allusion to 'an intermediary, whose high position and character inspired the hope of success;' but I was not then at liberty to make my communication on this subject as specific as was desirable for a full comprehension of the whole subject. It is now, however, in my power to place before you other papers, which I herewith address to you from them. You will perceive that the intermediary referred to was the Hon. John A. Campbell, a Judge of the Supreme Court of the United States, who made earnest efforts to promote the successful issue of the mission intrusted to our Commissioners, and by whom I was kept advised, in confidential communications, of the measures taken by him to secure so desirable a result. It is due to you, to him, and to history, that a narration of the occurrences with which he was connected should be made known, the more especially as it will be seen by the letters hereto appended, that the correctness and accuracy of the recital have not been questioned by the Secretary of State of the United States, to whom it was addressed. I avail myself of this opportunity to correct an error in one of the statements made in my Message of the 29th of April. It is there recited that I was prompted to call you together, in extraordinary session, by reason of the declarations contained in the pro-

clamation of President Lincoln of the 15th of April. My proclamation, convoking you, was issued on the 12th of April, and was prompted by the declaration of hostile purposes contained in the Message sent by President Lincoln to the Governor of South Carolina, on the 8th of April. As the proclamation of President Lincoln, of the 15th April, repeated the same hostile intention in more specific terms, and on a much more extensive scale, it created a stronger impression on my mind, and led to the error above alluded to, and which, however unimportant, I desire to correct.

JEFFERSON DAVIS.

MONTGOMERY, May 3d, 1861."

JUDGE CAMPBELL vs. WM. H. SEWARD.

WASHINGTON CITY, Saturday, April 13th, 1861.

"Sir: On the 15th of March ult., I left with Judge Crawford, one of the Commissioners of the Confederate States, a note in writing to the effect following:

"I feel entire confidence that Fort Sumter will be evacuated in the next ten days. And this measure is felt as imposing great responsibility on the Administration. I feel entire confidence that no measure changing the existing status, prejudicially to the Southern Confederate States, is at present contemplated. I feel an entire confidence that an immediate demand for an answer to the communication of the Commissioners will be productive of evil and not of good. I do not believe that it ought at this time to be pressed."

"The substance of this statement I communicated to you the same evening by letter. Five days elapsed, and I called with a telegram from General Beauregard, to the effect that Sumter was not evacuated, but that Major Anderson was at work making repairs.

"The next day, after conversing with you, I communicated to Judge Crawford, in writing, that the failure to evacuate Sumter was not the result of bad faith, but was attributable to causes consistent with the intention to fulfill the engagement; and that, as regarded Pickens, I should have notice of any design to alter the existing status there. Mr. Justice Nelson was present at these conversations, three in number, and I submitted to him each of my written communications to Judge Crawford, and informed Judge C. that they had his (Judge Nelson's) sanction. I gave you on the 22d March, a substantial copy of the statement I had made on the 15th.

"The 30th of March arrived, and at that time a telegram came from Governor Pickens inquiring concerning Colonel Lamon, whose visit to Charleston he supposed had a connection with the proposed evacuation of Fort Sumter.

"I left that with you, and was to have an answer the follow-



ing Monday (1st April). On the 1st of April I received from you the statement in writing, 'I am satisfied the Government will not undertake to supply Fort Sumter without giving notice to Governor Pickens.' The words 'I am satisfied' were for me to use as expressive of confidence in the remainder of the declaration.

"The proposition, as originally prepared, was, 'The President *may desire* to supply Sumter, but will not do so,' &c., and your verbal explanation was that you did not believe any such attempt would be made, and that there was no design to reenforce Sumter.

"There was a departure here from the pledges of the previous month, but with the verbal explanation I did not consider it a matter then to complain of; I simply stated to you that I had that assurance previously.

"On the 7th of April I addressed you a letter on the subject of the alarm that the preparations by the Government had created, and asked you if the assurances I had given were well or ill founded. In respect to Sumter, your reply was: 'Faith as to Sumter fully kept—wait and see.' In the morning's paper I read: 'An authorized messenger from President Lincoln informed Governor Pickens and General Beauregard that provisions will be sent to Fort Sumter, peaceably or *otherwise by force.*'

"This was the 8th of April, at Charleston, the day following your last assurance, and is the evidence of the full faith I was invited to wait *for* and *see*. In the same paper I read that intercepted dispatches disclose the fact that Mr Fox, who had been allowed to visit Major Anderson, on the pledge that his purpose was pacific, employed his opportunity to devise a plan for supplying the fort by force, and that this plan had been adopted by the Washington Government, and was in process of execution. My recollection of the date of Mr. Fox's visit carries it to a day in March. I learn he is a near connection of a member of the Cabinet. My connection with the Commissioners and yourself was superinduced by a conversation with Justice Wilson. He informed me of your strong disposition in favor of peace, and that you were oppressed with a demand of the Commissioners of the Confederate States for a reply to their first letter, and that you desired to avoid, if possible, at that time. I told him I might, perhaps, be of some service in arranging the difficulty. I came to your office entirely at his request, and without the knowledge of either of the Commissioners. Your depression was obvious to both Judge Nelson and myself. I was gratified at the character of the counsels you were desirous of pursuing, and much impressed with your observation that a civil war might be prevented by the success of my mediation. You read a letter of Mr. Weed, to show how irksome and responsible the withdrawal of troops from Fort Sumter was. A portion of my communication to Judge Crawford on the 15th of March was founded upon these remarks, and the pledge to evacuate Sumter is less forcible than the words you employed. Those words were: 'Before this letter reaches you (a proposed letter by me to President Davis), Sumter will have been evacuated.'

"The Commissioners who received these communications, conclude they have been abused and overreached. The Montgomery Government hold the same opinion. The Commissioners have supposed that my communications were with you, and upon the hypothesis prepared to arraign you before the country in connection with the President. I placed a peremptory prohibition upon this as being contrary to the terms of my communications with them. I pledged myself to communicate information upon what I considered as the best authority, and they were to confide in the ability of myself, aided by Judge Nelson, to determine upon the credibility of my informant.

"I think a candid man who will read over what I have writ-

ten, and consider for a moment what is going on at Sumter, will agree that the equivocating conduct of the Administration, as measured and interpreted in connection with these promises, is the proximate cause of the great calamity.

"I have a profound conviction that the telegrams of the 8th of April, of General Beauregard, and of the 10th of April, of General Walker, the Secretary of War, can be referred to nothing else than their belief that there has been systematic duplicity practiced upon them throughout. It is under an oppressive sense of the weight of this responsibility that I submit to you these things for your explanation.

"Very respectfully, JOHN A. CAMPBELL,

"Associate Justice of the Supreme Court.

"The Hon. WILLIAM H. SEWARD, Secretary of State."

#### THE DISPATCHES.

"To L. P. WALKER, Secretary of War: An authorized messenger from President Lincoln just informed Governor Pickens and myself that provisions will be sent to Fort Sumter peaceably, or otherwise by force."

"General P. G. T. BEAUREGARD: If you have no doubt of the authorized character of the agent who communicated to you the intention of the Washington Government to supply Fort Sumter by force, you will at once demand its evacuation, and if this is refused, proceed in such manner as you may determine to reduce it."

#### THE SECOND DEMAND.

"WASHINGTON CITY, April 20th, 1861.

"Sir: I inclose you a letter corresponding very nearly with one I addressed to you one week ago (13th April), to which I have not had any reply. The letter is simply one of inquiry in reference to facts concerning which I think I am entitled to an explanation. I have not adopted any opinion in reference to them which may not be modified by explanation, nor have I affirmed in that letter, nor do I in this, any conclusion of my own unfavorable to your integrity in the whole transaction.

"All that I have said, and mean to say, is, that an explanation is due from you to myself. I will not say what I shall do in case this request is not complied with; but I am justified in saying that I shall feel at liberty to place these letters before any person who is entitled to ask an explanation of myself.

Very respectfully,

"JOHN A. CAMPBELL,

"Associate Justice of the Supreme Court of the United States.

"The Hon. W. H. SEWARD, Secretary of State."

To this Mr. Seward did not reply. Whereupon Judge Campbell communicated the whole matter to Mr. Davis, accompanying the inclosures with the following note:

"MONTGOMERY, Ala., May 7th, 1861.

"Sir: I submit to you two letters that were addressed by me to the Hon. William H. Seward, Secretary of State of the United States, that contain an explanation of the nature and result of an intervention by me in the intercourse of the Commissioners of the Confederate States with that officer. I considered that I could perform no duty in which the entire American people, whether of the Federal Union or of the Confederate States, were more interested than that of promoting the counsels and the policy that had for their object the preservation of peace. This motive dictated my intervention. Beside the interview referred to in these letters, I informed the Assistant Secretary of State of the United States (not being able to see the Secretary), on the 11th of April, ultimo, of the existence of a telegram of that date from General Beauregard to the Commissioners, in which he informed the Commissioners that he had demanded the evacuation of Sumter, and if refused he would proceed to reduce it. On the same day, I had



been told that President Lincoln had said that none of the vessels sent to Charleston were war vessels, and that force was not to be used in the attempt to supply the fort. I had no means of testing the accuracy of this information, but offered that, if the information was accurate, I would send a telegram to the authorities at Charleston, and that it might prevent the disastrous consequences of a collision at that fort between the opposing forces. It was the last effort that I would make to avert the calamity of war. The assistant secretary promised to give the matter attention, but I had no other intercourse with him or any other person on the subject, nor have I had any reply to the letters submitted to you.

"Very respectfully, JOHN A. CAMPBELL.

"Gen. DAVIS, President of the Confederate States."

#### MR. SEWARD'S DEFENSE.

Mr. Seward, we believe, made no reply to this letter from Judge Campbell; but, an editorial in the *Albany Evening Journal* for May 22d, doubtless spoke by his authority. It said:

"If the Secretary of State was at liberty to reply to ex-Judge Campbell, revealing all that passed between them on several occasions, not only no imputation of insincerity would rest upon the Secretary, but the facts would seriously affect Judge Campbell's well established reputation for candor and

frankness. These revelations would furnish no evidence of either the 'falsehood' or 'duplicity' of Governor Seward, for there was nothing of either in his conversation.

"We violate no confidence in saying that Judge Campbell balanced long between Loyalty and Secession, the preponderance up to a late day being in favor of the Union. If he at any time looked with favor or satisfaction upon secession, he was much and generally misunderstood. If he did not seriously contemplate remaining in the Union, and upon the Bench, he was misunderstood. If, during that period of mental trial, he was acting in harmony with the leading enemies of the Union, he was grossly misunderstood.

"That Governor Seward conversed freely with Judge Campbell, we do not deny; nor do we doubt that in those conversations, he intimated that Fort Sumter would be evacuated. He certainly believed so, founding his opinion upon a knowledge of General Scott's recommendation. Subsequently, the President deemed it his duty to authorize an effort to reinforce and provision that fortress. We do not know whether Governor Seward met Judge Campbell after that change of purpose, but he was not at liberty, if they did meet, to reveal what was so well kept. But whatever Governor Seward said or intimated to Judge Campbell *was true at the time it was said*. That Judge Campbell reported to the Confederate President half that *he* said or intimated, is more than doubtful."

## THE QUEEN'S PROCLAMATION TO ENFORCE NEUTRALITY.

"VICTORIA R.

"*Whereas*, We are happily at peace with all Sovereigns, Powers, and States:

"And *whereas*, hostilities have unhappily commenced between the Government of the United States of America and certain States styling themselves 'the Confederate States of America':

"And *whereas*, we, being at peace with the Government of the United States, have declared our Royal determination to maintain a strict and impartial neutrality in the contest between the said contending parties;

"We, *therefore*, have thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation:

"And we do hereby strictly charge and command all our loving subjects to observe a strict neutrality in and during the aforesaid hostilities, and to abstain from violating or contravening either the laws and statutes of the realm in this behalf, or the law of nations in relation thereto, as they will answer to the contrary at their peril.

"And *whereas*, in and by a certain statute made and passed in the fifty-ninth year of His Majesty King George III., entitled 'an act to prevent the enlisting or engagement of His Majesty's subjects to serve in a foreign service, and the fitting out or equipping in His Majesty's dominions, vessels for warlike purposes, without His Majesty's license,' it is, among other things, declared and enacted as follows:

"That if any natural born subject of His Majesty, his heirs and successors, without the leave or license of His Majesty, his heirs or successors, for that purpose first had and obtained, under the sign manual of His Majesty, his heirs or successors, or signified by Order in Council, or by proclamation of His Majesty, his heirs or successors, shall take or accept, or shall agree to take or accept, any military commission, or shall otherwise enter into the military service as a commissioned or non-commissioned officer, or shall enlist or enter himself to enlist, or shall agree to enlist or to enter

himself to serve as a soldier, or to be employed, or shall serve in any warlike or military operation in the service of, or for, or under, or in aid of any foreign prince, State, potentate, colony, province, or part of any province or people, or of any person or persons, exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people, either as an officer or soldier, or in any other military capacity; or if any natural born subject of His Majesty shall, without such leave or license as aforesaid, accept, or agree to take or accept, any commission, warrant or appointment, as an officer, or shall enlist or enter himself, or shall agree to enlist or enter himself, to serve as a sailor or marine, or to be employed or engaged, or shall serve in and on board any ship or vessel of war, or in and on board any ship or vessel used or fitted out, or equipped, or intended to be used for any warlike purpose, in the service of, or for, or under, or in aid of any foreign power, prince, State, potentate, colony, province, or part of any province or people, or of any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province or people; or if any natural born subject of His Majesty shall, without such leave and license as aforesaid, engage, contract, or agree to go, or shall go, to any foreign state, country, colony, province, or to any place beyond the seas, with an intent or in order to enlist or enter himself to serve, or with intent to serve, in any warlike or military operation whatever, whether by land or by sea, in the service of, or for, or under, or in aid of any foreign prince, State, potentate, colony, province, or part of any province or people, or in the service of, or for, or under, or in aid of any person or persons exercising or assuming to exercise the powers of government in or over any foreign country, colony, province, or part of any province, or people, either as an officer or a soldier, or in any other military capacity, or an officer or sailor, or marine in any such ship or vessel as



aforesaid, although no enlisting money, or pay, or reward shall have been or shall be in any or either of the cases aforesaid actually paid to or received by him, or by any person to or for his use or benefit; or if any person whatever, within the United Kingdom of Great Britain and Ireland, or any part of His Majesty's dominions elsewhere, or in any country, colony, settlement, island or place belonging to or subject to His Majesty, shall hire, retain, engage, or procure, or shall attempt or endeavor to hire, retain, engage, or procure any person or persons whatever to enlist, or enter, or engage to enlist, or to serve or to be employed in any such service or employment as aforesaid, as an officer, soldier, sailor, or marine, either in land or sea service, for or under or in aid of any foreign prince, State, potentate, colony, province, or part of any province or people, or for, or under, or in aid of any person or persons exercising or assuming to exercise any powers of government as aforesaid, or to go or to agree to go or embark from any part of His Majesty's dominions, for the purpose or with intent to be enlisted, entered, engaged or employed as aforesaid, whether any enlisting money, pay or reward shall have been or shall be actually given or received, or not; in any or either of such cases every person so offending shall be deemed guilty of a misdemeanor, and upon being convicted thereof, upon any information or indictment, shall be punishable by fine and imprisonment, or either of them, at the discretion of the Court before which such offender shall be convicted.'

"And it is in and by the said act further enacted:

"That if any person, within any part of the United Kingdom or in any part of His Majesty's dominions beyond the seas, shall without the leave and license of His Majesty, for that purpose first had and obtained as aforesaid, equip, furnish, fit out, or arm, or procure to be equipped, furnished, fitted out, or armed, or shall knowingly aid, assist, or be concerned in the equipping, furnishing, fitting out, or arming of any ship or vessel, with intent or in order that such ship or vessel shall be employed in the service of any foreign prince, State, or potentate, or of any foreign colony, province, or people, or of any person or persons, exercising or assuming to exercise any powers of government in or over any foreign State, colony, province, or part of any province or people, as a transport or store-ship, or with intent to cruise or commit hostilities against any prince, State, or potentate, or against the subjects or citizens of any prince, State, or potentate, or against the persons exercising or assuming to exercise the powers of government in any colony, province, or part of any province or country, or against the inhabitants of any foreign colony, province, or part of any province or country, with whom His Majesty shall not then be at war; or shall, within the United Kingdom, or any of His Majesty's dominions, or in any settlement, colony, territory, island, or place belonging or subject to His Majesty, issue or deliver any commission for any ship or vessel to the intent that such ship or vessel shall be employed as aforesaid, every such person so offending shall be deemed guilty of a misdemeanor, and shall upon conviction thereof, upon any information or indictment, be punished by fine and imprisonment, or either of them, at the discretion of the Court in which such offender shall be convicted; and every such ship or vessel, with the tackle, apparel, and furniture, together with all the materials, arms, ammunition and stores which may belong to or be on board of any such ship or vessel, shall be forfeited; and it shall be lawful for any officer of His Majesty's Customs or Excise, or any officer of His Majesty's navy, who is by law empowered to make seizures, for any forfeiture incurred under any of the laws of Customs or Excise, or the laws of trade and navigation, to seize such ships and vessels aforesaid, and in such places and in such manner in which the officers of His Maj-

esty's Customs or Excise and the officers of His Majesty's navy are empowered respectively to make seizures under the laws of Customs and Excise, or under the laws of trade and navigation; and that every ship and vessel, with the tackle, apparel, and furniture, together with all the materials, arms, ammunition, and stores which may belong to or be on board of such ship or vessel, may be prosecuted and condemned in the like manner, and in such courts as ships or vessels may be prosecuted and condemned for any breach of the laws made for the protection of the revenues of Customs and Excise, or of the laws of trade and navigation.'

"And it is in and by the said act further enacted:

"That if any person in any part of the United Kingdom of Great Britain and Ireland, or in any part of His Majesty's dominions beyond the seas, without leave and license of His Majesty, for that purpose first had and obtained as aforesaid, shall, by adding to the number of the guns of such vessel, or by changing those on board for other guns, or by the addition of any equipment for war, increase or augment, or procure to be increased or augmented, or shall be knowingly concerned in increasing or augmenting the warlike force of any ship or vessel of war or cruiser, or other armed vessel, which at the time of her arrival in any part of the United Kingdom, or any of His Majesty's dominions, was a ship of war, cruiser, or armed vessel in the service of any foreign prince, State, or potentate, or of any person or persons exercising or assuming to exercise any powers of government in or over any colony, province, or part of any province or people belonging to the subjects of any such prince, State or potentate, or to the inhabitants of any colony, province, or part of any province or country under the control of any person or persons so exercising or assuming to exercise the powers of government, every such person so offending shall be deemed guilty of a misdemeanor, and shall, upon being convicted thereof, upon any information or indictment, be punished by fine and imprisonment, or either of them, at the discretion of the Court before which such offender shall be convicted.'

"Now, in order that none of our subjects may unwarily render themselves liable to the penalties imposed by the said statute, we do hereby strictly command, that no person or persons whatsoever do commit any act, matter or thing whatsoever, contrary to the provisions of the said statute, upon pain of the several penalties by the said statute imposed, and of our high displeasure.

"And we do hereby further warn all our loving subjects, and all persons whatsoever, entitled to our protection, that if any of them shall presume, in contempt of this Royal Proclamation, and of our high displeasure, to do any acts in derogation of their duty as subjects of a neutral sovereign, in the said contest, or in violation or contravention of the law of nations in that behalf—as, for example and more especially, by entering into the military service of either of the said contending parties as commissioned or non-commissioned officers or soldiers; or by serving as officers, sailors, or marines on board any ship or vessel of war or transport or in the service of either of the said contending parties; or by serving as officers, sailors, or marines on board any privateer bearing letters of marque of or from either of the said contending parties; or by engaging to go or going to any place beyond the seas with intent to enlist or engage in any such service, or by procuring or attempting to procure within Her Majesty's dominions, at home or abroad, others to do so; or by fitting out, arming or equipping any ship or vessel to be employed as a ship-of-war, or privateer, or transport, by either of the said contending parties; or by breaking, or endeavoring to break, any blockade lawfully and actually established by or on behalf of either of the said contending



parties; or by carrying officers, soldiers, dispatches, arms, military stores or materials, or any article or articles considered and deemed to be contraband of war according to the law of modern usage of nations, for the use or service of either of the said contending parties, all persons so offending will incur and be liable to the several penalties and penal consequences by the said statute, or by the law of nations, in that behalf imposed or denounced.

"And we do hereby declare, that all our subjects and persons entitled to our protection who may misconduct themselves in the premises will do so at their peril and of their own wrong, and that they will in nowise obtain any protection from us against any liability or penal consequences, but will, on the contrary, incur our high displeasure by such misconduct.

"Given at our Court at the White Lodge, Richmond Park, this 13th day of May, in the year of our Lord 1861, and in the 24th year of our reign.

"GOD SAVE THE QUEEN."

#### DECREE OF NAPOLEON ON PRIVATEERING AND NEUTRALITY.

His Majesty the Emperor of the French, taking into consideration the state of peace which now exists between France and the United States of America, has resolved to maintain a strict neutrality in the struggle between the Government of the Union and the States which propose to form a separate confederation. In consequence, his majesty, considering article 14 of the naval law of August, 1681, the third article of the law of the 10th of April, 1825, articles 84 and 85 of the Penal Code, 65 and following of the decree of the 24th of March, 1852, 313 and following of the Code Penal Maritime, and article 21 of the Code Napoleon, declares:

1. No vessel of war or privateer of either of the belligerent parties will be allowed to enter or stay with prizes in our ports or roadsteads longer than twenty four hours, excepting in case of compulsory delay (*relache forcee*).

2. No sale of goods belonging to prizes is allowed in our ports and roadsteads.

3. Every Frenchman is prohibited from taking a commission under either of the two parties to arm vessels of war, or to accept letters of marque for privateering purposes, or to assist in any manner whatsoever the equipment or armament of a vessel of war or privateer of either party.

4. Every Frenchman, whether residing in France or abroad, is likewise prohibited from enlisting or taking service either in the land army or on board vessels of war or privateers of either of the two belligerent parties.

5. Frenchmen residing in France or abroad must likewise abstain from any act which, committed in violation of the laws of the empire or of international law, might be considered as an act hostile to one of the two parties and contrary to the neutrality which

we have resolved to observe. All persons acting contrary to the prohibitions and recommendations contained in the present declaration will be prosecuted if required, conformably to the enactments of the law of the 10th April, 1825, and of articles 84 and 85 of the Penal Code, without prejudice to the application that might be made against such offenders of the enactments of the 21st article of the Code Napoleon, and of articles 65 and following of the decree of the 24th of March, 1852, on the merchant service, 313 and following of the Penal Code for the navy.

His Majesty declares, moreover, that every Frenchman contravening the present enactments will have no claim to any protection from his Government against his acts or measures, whatever they may be, which the belligerents might exercise or decree.

NAPOLEON.

THOUVENEL, Minister of Foreign Affairs.

The decree was afterwards explained and enforced by a note addressed by M. Rouher, Minister of Commerce, to the various Chambers of Commerce in France. From that note we quote the following:

In guarding respect for the immunities which modern law has now, fortunately, consecrated in favor of neutrals, we cannot pretend to protect them from all the consequences which ordinarily follow to other nations from the armed strife of two peoples. From the moment that we find ourselves in the presence of two belligerents to whom we know not how to deny that character, we find ourselves obliged to recognise in them all the rights which, according to international rules, war confers on those who make it. Consequently we cannot contest with either of them the right to injure the other by all the legitimate and direct means which it possesses, such as that which consists in seizing upon its possession, besieging its towns, blockading its ports. The natural consequence of the exercise of the law of blockade is to interdict to other Powers access to the blockaded places. It is incontestable that those Powers have to suffer from the interruption thus put upon their usual commercial relations; but they would have no right to make any reclamation for it, because they are only indirectly affected, and because no obstruction is placed upon that freedom of navigation to which they are entitled, except where such freedom would render absolutely inefficacious the military operations between belligerents rendered legitimate by the law of nations.

The admission by all the Powers of this principle, that the blockade, to be obligatory, must be effective, has remedied the abuse which formerly sprang from the right of excluding neutrals from points that were declared blockaded.

*The effectiveness of the blockade is, to-day, for all the world, the essential condition of its validity. But so soon*



*as there are, at the places to which a belligerent wishes to interdict access, forces sufficient to prevent their being approached without exposure to a certain danger, the neutral is compelled, no matter how prejudicial to him it may be, to respect the blockade. If he violates it he exposes himself to being treated as an enemy, by the belligerent with respect to whom he has deviated from the duties of neutrality.*

These principles, which have become the rule of all nations, appear to be completely ignored by the claimants. They appear to think that their customary relations of commerce should not be affected by a state of hostility to which they are not parties, and to admit at farthest that there may be a right to hold them accountable for their ulterior operations. Unfortunately such is not the case. It is true that a belligerent may not employ, to annoy his enemy, any means that strike directly at peoples who have remained strangers to the strife; but it is no less true that these latter have always to endure the indirect consequences of the perturbation resulting from the war from the moment that it breaks out.

Another error of the claimants is to believe that the blockade does not exist until it is notified diplomatically, and that it does not apply to neutral vessels that have quitted their country previously to the notification. *A blockade is obligatory from the moment that it is effectively established; being the material result of a material fact, it commences with the real investment of the place, continues so long as that investment remains, and ceases with it.*

It matters little that neutrals are ignorant of the facts. If one of their vessels presents itself at the place, the belligerent has the right to forbid its entrance.

The general usage is, doubtless, for a Government to inform other Governments of the measures of blockade to which it has recourse; but this notification, which is not by an absolute rule, is of no value by itself; it is only the announcing of an existing fact, which would already produce its effects. It may sometimes serve, it is true, to diminish the losses which neutrals may have to sustain in consequence of the state of war, by preventing them undertaking useless commercial expeditions for places really blockaded; but it is evident, on the other hand, that if neutrals suspended or modified according to this notification, their commercial operations, they would be exposed to the danger of doing so inappropriately, in case the blockade did not actually exist, or in case it had already closed at the time their expeditions might have arrived.

It is by erroneously attributing to the diplomatic notices of blockade a value and a signification which they have not in themselves, that it might be pretended to exclude neutrals from an entire territory, the access to which could not in reality be interdict-

ed; and it is for the purpose of rendering these fictitious blockades entirely impossible that the agreement has been entered into at present not to consider a neutral as entitled to notice of existence of a blockade except at the blockaded places themselves. This practice, which leaves a belligerent the faculty of acting with all the promptitude often required by operations of war, which permits a military chief to blockade, according to necessity, places distant from his country before he has instructed his Government of the fact, has this advantage for the neutral, that it does not impose upon him obligations inevitably onerous, except, at least, under circumstances where he must inevitably submit to them.

#### PROCLAMATION OF THE QUEEN OF SPAIN.

Considering the relations which exist between Spain and the United States of America and the expediency of not changing the reciprocal feelings of friendly understanding on account of the grave events which have happened in that republic, I have resolved to maintain the strictest neutrality in the struggle engaged in between all the Federal States of the Union and the Confederate States of the South; and in order to avoid the losses which my subjects might suffer both in shipping and commerce, for want of definite rules to which their conduct might conform, in accordance with my Council of Ministers I decree as follows:—

Article 1. It is forbidden in all the ports of the Spanish realm, to arm, supply and equip any privateer vessel, whatever may be the flag she carries.

Art. 2. It is in like manner forbidden to owners, masters or captains of merchant vessels to accept letters of marque or contribute in any way to the arming and equipping of vessels of war or privateers.

Art. 3. The entering and remaining for more than twenty-four hours in the ports of the realm is forbidden to vessels of war or privateers with prizes, unless in case of necessity through stress of weather.

When this latter happens the authorities shall watch the vessel and oblige her to go to sea as soon as possible, without permitting her to take any more supplies than for present necessity; but on no account either arms or munition of war.

Art 4. Effects taken from prizes shall not be sold in the ports of the realm.

Art. 5. Transportation, under the Spanish flag, of all articles of commerce is guaranteed, except when directed to blockaded ports.

The carrying of war material, papers or communications for the belligerents is forbidden. Trespassers shall be responsible for their acts, and shall have no right to the protection of my government.



Art. 6. All Spaniards are forbidden to enlist in the belligerent armies or to engage themselves to serve on board vessels of war or privateers.

Art. 7. My subjects shall refrain from every act which, by violating the laws of the kingdom, may be considered contrary to neutrality.

Art. 8. Transgressors of the foregoing regulations shall have no right to the protection of my Government, shall suffer the consequences of the measures which the belligerents may prescribe, and shall be punished as provided by the laws of Spain.

Given at the Palace, on the seventeenth of June, one thousand eight hundred and sixty-one. Signed by the royal hand.

SATURNINO CALDERAN COLLANTES,

Minister of State.

#### VIEWS OF RUSSIA.

PRINCE GORTSCHAKOFF TO BARON DE STOECKL.

ST. PETERSBURG, July 10th, 1861.

Sir—From the beginning of the conflict which divides the United States of America, you have been desired to make known to the Federal Government the deep interest with which our august master was observing the developement of a crisis which puts in question the prosperity and even the existence of the Union.

The Emperor profoundly regrets to see that the hope of a peaceful solution is not realized, and that American citizens already in arms are ready to let loose upon their country the most formidable of the scourges of political society—a civil war. For more than eighty years that it has existed the American Union owes its independence, its towering rise and its progress to the concord of its members, consecrated under the auspices of its illustrious founder, by institutions which have been able to reconcile the Union with liberty. This Union has been faithful. It has exhibited to the world the spectacle of a prosperity without example in the annals of history. It would be deplorable that, after so conclusive an experience, the United States should be hurried into a breach of the solemn compact, which, up to this time, has made their power. In spite of the diversity of their constitutions and of their interests, and perhaps even because of their diversity, Providence seems to urge them to draw closer the traditional bond which is the basis of the very condition of their political existence. In any event, the sacrifices they might impose upon themselves to maintain it, are beyond comparison with those which dissolution would bring. United, they perfect themselves, isolated, they are paralyzed.

The struggle which unhappily has just arisen can neither be indefinitely prolonged nor lead to the total destruction of one of the parties. Sooner or

later it will be necessary to come to some settlement, whatsoever it may be, which may cause the divergent interests now actually in conflict to co-exist. The American nation would then give a proof of high political wisdom in seeking in common such a settlement before a useless effusion of blood, a barren squandering of strength and of public riches, and acts of violence and reciprocal reprisals shall have come to deepen an abyss between the two parties of the Confederation, to end definitely in their mutual exhaustion, and in the ruin, perhaps irreparable, of their commercial and political power.

Our august master cannot resign himself to admit such a deplorable anticipation. His Imperial Majesty still places his confidence in that practical good sense of the citizens of the Union who appreciate so judiciously their true interests. His Majesty is happy to believe that the members of the Federal Government, and the influential men of the two parties, will seize all occasions and will unite all their efforts to calm the effervescence of the passions. There are no interests so divergent which may not be reconciled by laboring to that end with zeal and perseverance, in a spirit of justice and moderation.

If, within the limits of your friendly relations, your language and your counsels may contribute to this result, you will respond, sir, to the intentions of His Majesty the Emperor, in devoting to this the personal influence which you may have been able to acquire during your long residence at Washington, and the consideration which belongs to your character as the representative of a sovereign animated by the most friendly sentiments towards the American Union. This Union is not simply in our eyes an element essential to the universal political equilibrium; it constitutes, besides, a nation to which our august master and all Russia have pledged the most friendly interests for the two countries placed at the extremities of the two worlds: both in the ascending period of their developement appear called to a natural community of interests and of sympathies, of which they have already given mutual proofs to each other.

I do not wish here to approach any of the questions which divide the United States. We are not called upon to express ourselves in this contest. The preceding considerations have no other object than to attest the lively solicitude of the Emperor in the presence of the dangers which menace the American Union, and the sincere wishes that his Majesty entertains for the maintenance of that great work, so laboriously raised, and which appeared so rich in its future.

It is in this sense, sir, that I desire you to express yourself, as well to the members of the General Government as to the influential persons whom you



may meet, giving them the assurance that in every event the American nation may count upon the most cordial sympathy on the part of our august master during the important crisis which it is passing through at present.

GORTSCHAKOFF.

#### PRUSSIA.

BARON SCHLENITZ TO BARON GEROLT.

BERLIN, June 13th, 1861.

The incontestable fact of the state of intestine war in which the Union is engaged at this moment, is for the royal government a subject of deep regret. The relations of profound friendship which bind Prussia to the Government of the United States have existed since the establishment of the Union. They have never been disturbed or troubled in any manner in the course of a century by the vicissitudes of events. By a series of treaties having especially in view the advantages of reciprocal commercial interests, those intimate relations between the two States have been happily consolidated. At no time has a collision of opposing interests taken place between both Powers. The scope which the internal prosperity of the Union has taken, the growing extent of the States held together by the bonds of harmony, and the power which North America has acquired abroad, far from being viewed with jealousy by Prussia, have ever been greeted with sincere sympathy.

Our regret is so much the more lively at seeing now the continuance of so happy a condition become a question, in consequence of the disturbance that internal harmony is experiencing, the existence of which has hitherto been the surest basis of the Union.

It is not the part of the royal government either to discuss the causes of that rupture or to pass judgment on litigious questions which regard exclusively the internal situation of the Union. All our efforts will tend to preserve, even under present circumstances, our position towards the United States. Yet the grave turn which the conflict has taken, and the measures which the Government of the Union itself has taken in relation to blockade and the treatment of neutral vessels, have a sensible and serious bearing on our interests, and the royal government believes it to be its duty to give to those interests the protection which is founded upon public law and upon treaties.

You are fully informed of the negotiations which have been carried on for many years between Prussia and the United States relative to the principles which should be applied in time of war touching the rights of neutral vessels. With the American Cabinet will ever rest the honor of having first, in

the proposed treaty which it submitted to us in 1854, taken the initiative in carrying out liberal principles, and insuring on a wider scale the rights of which it treated. It is with great pleasure we have received at this time the proposals from North America, and if the negotiations conducted by you have not had the desired success, because there was a hesitation in deferring to our wishes for the abolition of letters of marque, yet, the generally felt necessity of seeing the rights of neutrals in time of war, mutually settled on a wide and unalterable basis, has been taken into serious consideration by the great maritime Powers of Europe.

The declaration signed at Paris on the 6th of April, 1856, is a proof of it. All the European States, Spain alone excepted, have adhered to it. If the United States have, to our regret, in regard to the first proposition concerning the abolition of letters of marque, refused in their turn to adhere to the Paris declaration, we do not overlook the kindly and liberal intention which controlled the views of the Washington Cabinet. That intention was manifested in the counter proposition of President Pierce, according to which the principle of the inviolability of private property on the sea should be inscribed in the code of international law. Unfortunately, the President did not succeed in getting that proposition adopted. You are perfectly aware of the justice we have done him.

In view of the doubts existing in regard to the treatment of which neutral shipping may be subjected in the course of the present war, I beg you to make this important question the object of a free and friendly explanation with the American Secretary of State.

What we should most desire is that the American Government should seize this occasion to proclaim its accession to the Paris declaration. If that be not possible, we would be satisfied for the present that, while the war lasts, they would please to apply to neutral shipping generally, the second and third propositions of the Paris declaration. The application of the second proposition, providing that a neutral flag covers enemies' merchandise, unless contraband of war, is already guaranteed to Prussian shipping by article 12 of the treaty of September 10, 1785, reproduced in our treaty with the United States of May 1, 1828. However, we attach a particular importance to the application at this time, generally, of that principle to neutral shipping. We have the less doubt of it since, conformably to a dispatch, under date of June 27, 1859, addressed by Mr. Cass, Secretary of State, to the Minister of the United States at Paris, and which has been communicated to us; the President, without, however, adhering to the Paris declaration, expressly



demand that the principle under which the neutral flag covers neutral merchandise, unless contraband of war, should be applied everywhere and by every one to United States vessels.

Concerning the third proposition, in regard to the inviolability of private property on the high seas it is of urgent necessity for the great Powers that it be recognized by America. If doubts still exist as to that principle being carried out, the commercial enterprises of neutral States will be exposed to inevitable inconvenience, and we may have cause to fear collisions even of a very serious nature, and which we would desire might be prevented in time.

I will experience a real satisfaction in receiving from you soon the news that the overtures and proposals with which I have just charged you have met with a promising reception. SCHLEINITZ.

#### CASSIUS M. CLAY'S MEMORANDUM.

The "memorandum" referred to on page 111, addressed by Mr. Clay to a Nashville editor—reciting the result of an interview held with the President, at the instigation of said editor—was as follows :

WASHINGTON, April 20th, 1861.

"The undersigned, on all the responsibilities of a Kentuckian, a patriot, and a man, desiring the perpetuation of the Union and the liberties of the people—opposed always to aggressive war, believing that civilization cannot be advanced by arms, but that only pre-existing ideas can be so fixed—in favor of peaceful emancipation by the will of the sovereignties, and against servile war and insurrections—asserts upon his own responsibility the policy of the Administration to be *peace*, if consistent with honor.

"1. He reasserts the avowals of President Lincoln in his inaugural address and late proclamation, to make war upon no State, much less upon Virginia or the Border States, *whose Union men he would conciliate and save as friends*. For this reason he retires from Harper's Ferry as he did from Sumter, acting clearly on the defensive, that he might stand before mankind guiltless of this great fraternal sacrifice. For the same reason he refuses to avenge the blood of American citizens shed in Baltimore in the peaceful passage to the seat of the common Government.

"2. But the President will not, when pressed to the wall, fail to assert to his full ability the power and safety of the National Government, *unless the people, whose errand he is, shall otherwise decree*.

"3. Any attack on the National forces or property in the District of Columbia, will be regarded as a declaration of war and a fatal blow at all hope of peace.

"4. He will not deceive Maryland or Virginia, or any State, by false professions; he will continue to strengthen his position in this place of National exclusive jurisdiction at all hazards, and by all the defensive means in his power, and this he feels abundantly able to do.

"5. Virginia and Maryland may keep the peace and give *time for the passions of men to cool* by avoiding the invasion of the District or obstructing our movements. *Virginia must confine herself to her own soil*.

"(Signed)

C. M. CLAY."

#### OPINION OF THE ATTORNEY GENERAL ON THE SUSPENSION OF THE WRIT OF HABEAS CORPUS.

ATTORNEY GENERAL'S OFFICE,  
WASHINGTON CITY, July 5th, 1861. }

To the President :

SIR : You have required my opinion in writing upon the following questions :

"1. In the present time of a great and dangerous insurrection, has the President the discretionary power to cause to be arrested and hold in custody persons known to have criminal intercourse with the insurgents, or persons against whom there is probable cause for suspicion of such criminal complicity ?

"2. In such cases of arrest is the President justified in refusing to obey a writ of habeas corpus issued by a court or a judge, requiring him or his agent to produce the body of the prisoner, and show the cause of his caption and detention, to be adjudged and disposed of by such court or judge ?"

To make my answer to these questions at once consistent and plain, I find it convenient to advert to the great principle of government, as recognized and acted upon in most, if not all, the countries in Europe, and to mark the difference between that principle, and the great principle which lies at the bottom of our National Government.

Most European writers upon government assume, expressly or by implication, that every national government is, and must be, the full expression and representation of the nation which it governs, armed with all its powers and able to assert all its rights. In England, the form of whose government more nearly approximates our own, and where the rights, interests and powers of the people are more respected and cared for than in most of the nations of the European Continent, it has grown into an axiom that "the Parliament is omnipotent," that is, that it can do anything that is possible to be done by legislation or by judgment. For all the ends of government the Parliament is the nation. Moreover, in Europe generally, the sovereignty is vested visibly in some designated man or set of men, so that the subject people can see their sovereign as well as feel the workings of his power. But in this country it has been carefully provided otherwise. In the formation of our National Government our fathers were surrounded with peculiar difficulties, arising out of their novel, I may say unexampled, condition. In resolving to break the ties which had bound them to the British Empire, their complaints were levelled chiefly at the King, not the Parliament nor the people. They seem to have been actuated by a special dread of the unity of power, and hence, in framing the Constitution, they preferred to take the risk of leaving some good undone, for lack of power in the agent, rather than arm any government officer with such great powers for evil as are



implied in the dictatorial charge to "see that no damage comes to the Commonwealth."

Hence, keeping the sovereignty always out of sight, they adopted the plan of "checks and balances," forming separate departments of government, and giving each department separate and limited powers. These departments are co-ordinate and co-equal—that is, neither being sovereign, each is independent in its sphere, and not subordinate to the others, either of them or both of them together. We have three of these co-ordinate departments. Now, if we allow one of the three to determine the extent of its own powers, and also the extent of the powers of the other two, that one can control the whole government, and has, in fact, achieved the sovereignty.

We ought not to say that our system is perfect, for its defects (perhaps inevitable in all human things) are obvious. Our fathers, having divided the government into co-ordinate departments, did not even try (and if they had tried, would probably have failed) to create an arbiter among them to adjudge their conflicts and keep them within their respective bounds. They were left, by design, I suppose, each independent and free, to act out its own granted powers, without any ordained legal superior possessing the power to revise and reverse its action. And this with the hope that the three departments, mutually co-equal and independent, would keep each other within their proper spheres by their mutual antagonism—that is, by the system of checks and balances, to which our fathers were driven at the beginning, by their fear of the unity of power.

In this view of the subject it is quite possible for the same identical question (not case) to come up legitimately before each one of the three departments, and be determined in three different ways, and each decision stand irrevocable, binding upon the parties to each case; and that, for the simple reason that the departments are co-ordinate, and there is no ordained legal superior, with power to revise and reverse their decisions.

To say that the departments of our government are co-ordinate, is to say that the judgment of one of them is not binding upon the other two, as to the arguments and principles involved in the judgment. It binds only the parties to the case decided. But if, admitting that the departments of government are co-ordinate, it be still contended that the principles adopted by one department, in deciding a case properly before it, are binding upon another department, that obligation must of necessity be reciprocal—that is, if the President be bound by the principles laid down by the judiciary, so also is the judiciary bound by the principles laid down by the

President. And thus we shall have a theory of constitutional government flatly contradicting itself. Departments co-ordinate and co-equal, and yet reciprocally subordinate to each other! That cannot be. The several departments, though far from sovereign, are free and independent, in the exercise of the limited powers granted to them respectively by the Constitution. Our government indeed, as a whole, is not vested with the sovereignty, and does not possess all the powers of the nation. It has no powers but such as are granted by the Constitution; and many powers are expressly withheld. The nation certainly is co-equal with all other nations, and has equal powers, but it has not chosen to delegate all its powers to this government, in any or all of its departments.

The government, as a whole, is limited, and limited in all its departments. It is the especial function of the judiciary to hear and determine cases, not to "establish principles," nor "settle questions," so as to conclude any person but the parties and privies to the cases adjudged. Its powers are specially granted and defined by the Constitution, article 3, section 2:

"The judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, and which shall be made, under their authority; to all cases affecting ambassadors, other ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States; between States and citizens of other States; between citizens of different States; between citizens of the same State claiming lands under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens or subjects." And that is the sum of its powers, ample and efficient for all the purposes of distributive justice among individual parties, but powerless to impose rules of action and of judgment upon the other departments. Indeed, it is not itself bound by its own decisions, for it can and often does overrule and disregard them, as, in common honesty, it ought to do, whenever it finds, by its after and better lights, that its former judgments were wrong.

Of all the departments of the government, the President is the most active, and the most constant in action. He is called "the Executive," and so, in fact, he is, and much more also, for the Constitution has imposed upon him many important duties, and granted to him great powers which are in their nature not executive—such as the veto power; the power to send and receive ambassadors; the power to make treaties, and the power to appoint officers.



This last is not more an executive power when used by the President than it is when exercised by either House of Congress, by the courts of justice, or by the people at large.

The President is a department of the Government; and, although the only department which consists of a single man, he is charged with a greater range and variety of powers and duties than any other department. He is a civil magistrate, not a military chief; and in this regard we see a striking proof of the generality of the sentiment prevailing in this country at the time of the formation of our Government, to the effect that the military ought to be held in strict subordination to the civil power. For the Constitution, while it grants to Congress the unrestricted power to declare war, to raise and support armies, and to provide and maintain a navy, at the same time guards carefully against the abuse of that power, by withholding from Congress and from the army itself the authority to appoint the chief commander of a force so potent for good or for evil to the State. The Constitution provides that "the President shall be Commander-in-Chief of the army and navy of the United States, and of the militia of the several States when called into the actual service of the United States." And why is this? Surely not because the President is supposed to be, or commonly is, in fact, a military man—a man skilled in the art of war and qualified to marshal a host in the field of battle. No, it is for quite a different reason; it is that whatever skillful soldier may lead our armies to victory against a foreign foe, or may quell a domestic insurrection; however high he may raise his professional renown, and whatever martial glory he may win still he is subject to the orders of the civil magistrate, and he and his army are always "subordinate to the civil power."

And hence it follows, that whenever the President, (the civil magistrate,) in the discharge of his constitutional duty, to "take care that the laws be faithfully executed," has occasion to use the army to aid him in the performance of that duty, he does not thereby lose his civil character and become a soldier, subject to military law and liable to be tried by a court-martial, any more than does a civil court lose its legal and pacific nature and become military and belligerent by calling out the power of the country to enforce its decrees. The civil magistrates, whether judicial or executive, must of necessity employ physical power to aid them in enforcing the laws, whenever they have to deal with disobedient and refractory subjects; and their legal power and right to do so is unquestionable. The right of the courts to call out the whole power of the country to enforce their judgments, is as old as the common law; and the right of the President to use force

in the performance of his legal duties is not only inherent in his office, but has been frequently recognized and aided by Congress. One striking example of this is the act of Congress of March 3d, 1807, (2 Stat., 445,) which empowered the President, without the intervention of any court, to use the marshal, and, if he be insufficient, to use the army, summarily to expel intruders and squatters upon the public lands. And that power has been frequently exercised, without, as far as I know, a question of its legality. To call, as is sometimes done, the judiciary the civil power, and the President the military power, seems to me at once a mistake of fact and an abuse of language.

While the judiciary and the President, as departments of the General Government, are co-ordinate, equal in dignity and power, and equally trusted by the law, in their respective spheres, there is, nevertheless, a marked diversity in the character of their functions and their modes of action. The judiciary is, for the most part, passive. It rarely, if ever, takes the initiative; it seldom or never begins an operation. Its great function is judgment, and, in the exercise of that function, it is confined almost exclusively to cases not selected by itself, but made and submitted by others. The President, on the contrary, by the very nature of his office, is active; he must often take the initiative; he must begin operations. His great function is execution, for he is required by the Constitution (and he is the only department that is so required) to "take care that the laws (all the laws) be faithfully executed," and in the exercise of that function, his duties are coextensive with the laws of the land.

Often, he comes to the aid of the judiciary, in the execution of its judgments; and this is only a part, and a small part, of his constitutional duty, to take care that the laws be faithfully executed. I say it is a small part of his duty, because for every instance in which the President executes the judgment of a court, there are a hundred instances in which he executes the law, without the intervention of the judiciary, and without referring at all to its functions.

I have premised this much in order to show the separate and independent character of the several departments of our Government, and to indicate the inevitable differences in their modes of action, and the characteristic diversity of the subjects upon which they operate; and all this as a foundation for the answers which I will now proceed to give to the particular questions propounded to me.

As to the first question, I am clearly of opinion that, in a time like the present, when the very existence of the nation is assailed, by a great and dangerous insurrection, the President has the lawful,



discretionary power to arrest and hold in custody persons known to have criminal intercourse with the insurgents, or persons against whom there is probable cause for suspicion of such criminal complicity. And I think this position can be maintained, in view of the principles already laid down, by a very plain argument.

The Constitution requires the President, before he enters upon the execution of his office, to take an oath that he "will faithfully execute the office of President of the United States, and will, to the best of his ability, preserve, protect and defend the Constitution of the United States."

The duties of the office comprehend all the executive power of the nation, which is expressly vested in the President by the Constitution, article 2, section 1, and also, all the powers which are specially delegated to the President, and yet are not, in their nature, executive powers. For example, the veto power; the treaty making power; the appointing power; the pardoning power. These belong to that class which, in England, are called prerogative powers, inherent in the crown. And yet the framers of our Constitution thought proper to preserve them, and to vest them in the President, as necessary to the good government of the country. The executive powers are granted generally, and without specification; the powers not executive are granted specially, and for purposes obvious in the context of the Constitution. And all these are embraced within the duties of the President, and are clearly within that clause of his oath which requires him to "faithfully execute the office of President."

The last clause of the oath is peculiar to the President. All the other officers of Government are required to swear only "to support this Constitution," while the President must swear "to preserve, protect and defend it," which implies the power to perform what he is required in so solemn a manner to undertake. And then follows the broad and compendious injunction to "take care that the laws be faithfully executed." And this injunction, embracing as it does all the laws—Constitution, treaties, statutes—is addressed to the President alone, and not to any other department or officer of the Government. And this constitutes him, in a peculiar manner, and above all other officers, the guardian of the Constitution—its preserver, protector and defender.

It is the plain duty of the President (and his peculiar duty, above and beyond all other departments of the Government) to preserve the Constitution and execute the laws all over the nation; and it is plainly impossible for him to perform this duty without putting down rebellion, insurrection and all unlawful combinations to resist the General Government.

The duty to suppress the insurrection being obvious and imperative, the two acts of Congress, of 1795 and 1807, come to his aid, and furnish the physical force which he needs, to suppress the insurrection and execute the laws. Those two acts authorize the President to employ for that purpose the militia, the army and the navy.

The argument may be briefly stated thus: It is the President's bounden duty to put down the insurrection, as (in the language of the act of 1795) the "combinations are too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals." And this duty is imposed upon the President for the very reason that the courts and the marshals are too weak to perform it. The manner in which he shall perform that duty is not prescribed by any law, but the means of performing it are given, in the plain language of the statutes, and they are all means of force—the militia, the army and the navy. The end, the suppression of the insurrection, is required of him; the means and instruments to suppress it are lawfully in his hands; but the manner in which he shall use them is not prescribed, and could not be prescribed, without a foreknowledge of all the future changes and contingencies of the insurrection. He is, therefore, necessarily thrown upon his discretion, as to the manner in which he will use his means to meet the varying exigencies as they arise. If the insurgents assail the nation with an army, he may find it best to meet them with an army, and suppress the insurrection in the field of battle. If they seek to prolong the rebellion and gather strength by intercourse with foreign nations, he may choose to guard the coasts and close the ports with a navy, as one of the most efficient means to suppress the insurrection. And if they employ spies and emissaries to gather information, to forward secret supplies, and to excite new insurrections in aid of the original rebellion, he may find it both prudent and humane to arrest and imprison them. And this may be done, either for the purpose of bringing them to trial and condign punishment for their crimes, or they may be held in custody for the milder end of rendering them powerless for mischief, until the exigency is past.

In such a state of things the President must, of necessity, be the sole judge, both of the exigency which requires him to act and of the manner in which it is most prudent for him to employ the powers entrusted to him, to enable him to discharge his constitutional and legal duty—that is, to suppress the insurrection and execute the laws. And this discretionary power of the President is fully admitted by the Supreme Court, in the case of *Martin vs. Mott*. (12 Wheaton's Reports, page 19; 7 Curtis 10.)



This is a great power in the hands of the Chief Magistrate ; and because it is great, and is capable of being perverted to evil ends, its existence has been doubted or denied. It is said to be dangerous in the hands of an ambitious and wicked President, because he may use it for the purposes of oppression and tyranny. Yes, certainly it is dangerous—all power is dangerous—and for the all-pervading reason that all power is liable to abuse ; all the recipients of human power are men, not absolutely virtuous and wise. Still it is a power necessary to the peace and safety of the country, and undeniably belongs to the Government, and therefore must be exercised by some department or officer thereof.

Why should this power be denied to the President, on the ground of its liability to abuse, and not denied to the other departments on the same ground ? Are they more exempt than he is from the frailties and vices of humanity ? Or are they more trusted by the law than he is trusted, in their several spheres of action ? If it be said that a President may be ambitious and unscrupulous, it may be said with equal truth that a Legislature may be factious and unprincipled, and a court may be venal and corrupt. But these are crimes never to be presumed, even against a private man, and much less against any high and highly trusted public functionary. They are crimes, however, recognized as such, and made punishable by the Constitution ; and whoever is guilty of them, whether a President, a Senator or a Judge, is liable to impeachment and condemnation.

As to the second question :

Having assumed, in answering the first question, that the President has the legal discretionary power to arrest and imprison persons who are guilty of holding criminal intercourse with men engaged in a great and dangerous insurrection, or persons suspected, with " probable cause," of such criminal complicity, it might seem unnecessary to go into any prolonged argument to prove that, in such a case, the President is fully justified in refusing to obey a writ of habeas corpus, issued by a court or judge, commanding him to produce the body of his prisoner, and state when he took him, and by what authority, and for what cause he detains him in custody—and then, yield himself to judgment, " to do, submit to, and receive whatsoever the judge or court, awarding the writ, shall consider in that behalf."

If it be true, as I have assumed, that the President and the judiciary are co-ordinate departments of Government, and the one not subordinate to the other, I do not understand how it can be legally possible for a judge to issue a command to the President to come before him *ad subjiciendum*—that is, to submit implicitly to his judgment—and, in

case of disobedience, treat him as a criminal, in contempt of a superior authority, and punish him as for a misdemeanor, by fine and imprisonment. It is no answer to say, as has sometimes been said, that although the writ of habeas corpus cannot be issued and enforced against the President himself, yet that it can be against any of his subordinates ; for that abandons the principle assumed, of giving relief in " all cases " of imprisonment by color of authority of the United States, and attempts to take an untenable distinction between the person of the President and his office and legal power. The law takes no such distinction, for it is no respecter of persons. The President, in the arrest and imprisonment of men, must, almost always, act by subordinate agents ; and yet the thing done is no less his act than if done by his own hand. But it is impossible for the President to be in the actual custody of a prisoner, taken in civil war or arrested on suspicion of being a secret agent and abettor of rebellion, and in that case the writ must be unavailing, unless it run against the President himself. Besides, the whole matter is political, and not judicial. The insurrection itself is purely political. Its object is to destroy the political Government of this nation, and to establish another political Government upon its ruins. And the President, as the chief civil magistrate of the nation, and the most active department of the Government, is eminently and exclusively political in all his principal functions. As the political chief of the nation, the Constitution charges him with its preservation, protection and defense, and requires him to take care that the laws be faithfully executed. And in that character, and by the aid of the acts of Congress of 1795 and 1807, he wages open war against armed rebellion, and arrests and holds in safe custody those whom, in the exercise of his political discretion, he believes to be friends of, and accomplices in, the armed insurrection, which it is his especial political duty to suppress. He has no judicial powers. And the judiciary department has no political powers, and claims none, and therefore (as well as for other reasons already assigned,) no court or judge can take cognizance of the political acts of the President, or undertake to revise and reverse his political decisions.

The jurisdiction exercised under the writ of habeas corpus is in the nature of an appeal. (4 Cr., 75.) for as far as concerns the right of the prisoner, the whole object of the process is to re-examine and reverse or affirm the acts of the person who imprisoned him. And I think it will hardly be seriously affirmed, that a judge, at chambers, can entertain an appeal, in any form, from a decision of the President of the United States—and especially in a case purely political.



There is but one sentence in the Constitution which mentions the writ of habeas corpus—article 1, section 9, clause 2—which is in these words: “The privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it.”

Very learned persons have differed widely about the meaning of this short sentence, and I am by no means confident that I understand it myself. The sententious language of the Constitution, in this particular, must, I suppose, be interpreted with reference to the origin of our people, their historical relations to the mother country, and their inchoate political condition at the moment when our Constitution was formed. At that time the United States, as a nation, had no common law of its own, and no statutory provision for the writ of habeas corpus. Still, the people, English by descent, even while in open rebellion against the English crown, claimed a sort of historical right to the forms of English law and the guarantees of English freedom. They knew that the English Government had, more than once, assumed the power to imprison whom it would, and hold them, for an indefinite time, beyond the reach of judicial examination; and they desired, no doubt, to interpose a guard against the like abuses in this country. And hence the clause of the Constitution now under consideration. But we must try to construe the words, vague and indeterminate as they are, as we find them. “The privilege of the writ of habeas corpus shall not be suspended,” &c. Does that mean that the writ itself shall not be issued, or that, being issued, the party shall derive no benefit from it? “Suspended”—does that mean delayed, hung up for a time, or altogether denied? “The writ of habeas corpus”—which writ? In England there were many writs called by that name, and used by the courts for the more convenient exercise of their various powers; and our own courts now, by acts of Congress—the Judiciary Act of 1789, section 14, and the act of March 2, 1833, section 7—have, I believe, equivalent powers.

It has been decided by the Supreme Court, and I doubt not correctly—see *Bollman and Swartwout's* case, (4 Cr., 93,)—that “for the meaning of the term habeas corpus, resort must be had to the common law, but the power to award the writ, by any of the courts of the United States, must be given by written law.” And the same high court—judging, no doubt by the history of our own people and the circumstances of the times—has also decided that the writ of habeas corpus mentioned in the Constitution is the great writ *ad subjiciendum*.

That writ, in its nature, action and objects, is tersely and accurately described by Sir William Blackstone. I adopt his language, as found in his

Commentaries, book 3, page 131. “But the great and efficacious writ, in all manner of illegal confinement, is that of habeas corpus *ad subjiciendum*, directed to the person detaining another and commanding him to produce the body of the prisoner, with the day and cause of his caption and detention, *ad faciendum, subjiciendum et recipiendum*, to do, submit to, and receive whatsoever the judge or court awarding such writ shall consider in that behalf. This is a high prerogative writ, and therefore by the common law, issuing out of the Court of King's Bench, not only in term time, but also during the vacation, by a fiat from the Chief Justice or or any other of the judges, and running into all parts of the king's dominions; for the king is at all times entitled to have an account why the liberty of any of his subjects is restrained, wherever that restraint may be inflicted.”

Such is the writ of habeas corpus, of which the Constitution declares that the privilege thereof shall not be suspended, except when, in cases of rebellion or invasion, the public safety may require it. But the Constitution is silent as to who may suspend it when the contingency happens. I am aware that it has been declared by the Supreme Court, that “if, at any time, the public safety should require the suspension of the powers vested by this act, (meaning the Judiciary Act of 1789, section 14,) in the courts of the United States, it is for the Legislature to say so. That question depends upon political considerations, on which the Legislature is to decide.” Upon this, I remark only, that the Constitution is older than the Judiciary Act, and yet it speaks of the privilege of the writ of habeas corpus as a thing in existence; it is in general terms, and does not speak with particular reference to powers which might or might not be granted by a future act of Congress. Besides, I take it for certain that in the common course of legislation, Congress has power, at any time, to repeal the Judiciary Act of 1789, and the act of 1833, (which grants to the courts and to the judges the power to issue the writs,) without waiting for a rebellion or invasion, and a consequent public necessity, to justify, under the Constitution, the suspension of the writ of habeas corpus. The court does not speak of suspending the privilege of the writ, but of suspending the powers vested in the court by the act. The power to issue a writ can hardly be called a privilege, yet the right of an individual to invoke the protection of his Government in that form may well be designated by that name. And I should infer, with a good deal of confidence, that the court meant to speak only of its own powers, and not of the privilege of individuals, but for the fact that the Court ascribes the power to suspend to the Legisla-



ture upon political grounds. It says "that question depends upon political considerations, on which the Legislature is to decide." Now, I had supposed that questions did not belong exclusively to the Legislature, because they depend upon political considerations, inasmuch as the President, in his constitutional and official duties, is quite as political as is the Congress, and has daily occasion in the common routine of affairs to determine questions upon political considerations alone.

If by the phrase the suspension of the privilege of the writ of habeas corpus, we must understand a repeal of all power to issue the writ, then I freely admit that none but Congress can do it. But if we are at liberty to understand the phrase to mean, that, in case of a great and dangerous rebellion, like the present, the public safety requires the arrest and confinement of persons implicated in that rebellion, I as freely declare the opinion, that the President has lawful power to suspend the privilege of persons arrested under such circumstances. For he is especially charged by the Constitution with the "public safety," and he is the sole judge of the emergency which requires his prompt action.

This power in the President is no part of his ordinary duty in time of peace; it is temporary and exceptional, and was intended only to meet a pressing emergency, when the judiciary is found to be too weak to insure the public safety--when (in the language of the act of Congress) there are "combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals." Then, and not till then, has he the lawful authority to call to his aid the military power of the nation, and with that power perform his great legal and constitutional duty to suppress the insurrection. And shall it be said that when he has fought and captured the insurgent army, and has seized their secret spies and emissaries, he is bound to bring their bodies before any judge who may send him a writ of habeas corpus, "to do, submit to and receive whatsoever the said judge shall consider in that behalf?"

I deny that he is under any obligation to obey such a writ, issued under such circumstances. And in making this denial, I do but follow the highest judicial authority of the nation. In the case of *Luther vs. Borden*, (commonly called the Rhode Island case), reported in 7 Howard, page 1, the Supreme Court discussed several of the most important topics treated of in this opinion, and among them the power of the President alone to decide whether the exigency exists, authorizing him to call out the militia, under the act of 1795. The court affirmed the power of the President in that respect, and denied the power of the court to examine and

adjudge his proceedings. The opinion of the court delivered by the learned Chief Justice Taney, declares that if the court had that power, "then it would become the duty of the court (provided that it came to the conclusion that the President had decided incorrectly) to discharge those who were arrested or detained by the troops in the service of the United States, or the Government which the President was endeavoring to maintain. If (says that learned court) the judicial power extends so far, the guarantee contained in the Constitution of the United States (meaning, of course, protection against insurrection) is a guarantee of anarchy and not of order.

Whatever I have said about the suspension of the privilege of the writ of habeas corpus has been said in deference to the opinions of others, and not because I myself thought it necessary to treat of that subject at all in reference to the present posture of our national affairs. For, not doubting the power of the President to capture and hold by force insurgents in open arms against the Government, and to arrest and imprison their suspected accomplices, I never thought of first suspending the writ of habeas corpus, any more than I thought of first suspending the writ of replevin, before seizing arms and munitions destined for the enemy.

The power to do these things is in the hand of the President, placed there by the Constitution and the statute law as a sacred trust, to be used by him in his best discretion in the performance of his great first duty--to preserve, protect and defend the Constitution. And for any breach of that trust he is responsible before the high court of impeachment, and before no other human tribunal.

The powers of the President falling within this general class have been several times considered by the judiciary, and have, I believe, been uniformly sustained, without materially varying from the doctrines laid down in this opinion. I content myself with a simple reference to the cases without enumerating this document, already too long, with copious extracts. (The Rhode Island case, 7 Howard, page 1; *Fleming vs. Page*, 9 Howard, page 615; *Cross vs. Harrison*, 16 Howard, page 189; the *Santissima Trinidad*, 7 Wheaton, page 305; *Martin vs. Mott*, 12 Wheaton, page 29.)

To my mind it is not very important whether we call a particular power exercised by the President a peace power or a war power, for undoubtedly, he is armed with both. He is the chief civil magistrate of the nation, and being such, and because he is such, he is the constitutional Commander-in-Chief of the army and navy; and thus, within the limits of the Constitution, he rules in peace and commands in war, and at this moment he is in the full exercise of



all the functions belonging to both those characters. The civil administration is still going on in its peaceful course, and yet we are in the midst of war—a war in which the enemy is, for the present, dominant in many States, and has his secret allies and accomplices scattered through many other States which are still loyal and true. A war all the more dangerous, and more needing jealous vigilance and prompt action, because it is an internecine and not an international war.

This, sir, is my opinion, the result of my best reflections, upon the questions propounded by you. Such as it is, it is submitted, with all possible respect, by your obedient servant,

EDWARD BATES, Attorney-General.

OPINION OF THE CHIEF JUSTICE OF THE UNITED STATES CONTROVERTING THE RIGHT OF THE PRESIDENT TO SUSPEND THE PRIVILEGE OF THE HABEAS CORPUS ACT.

*Ex parte*  
JOHN MERRYMAN. { Before the Chief Justice of the Supreme Court of the United States, at Chambers.

The application in this case for a writ of habeas corpus is made to me under the 14th section of the judiciary act of 1789, which renders effectual for the citizen the constitutional privilege of the writ of habeas corpus. That act gives to the courts of the United States, as well as to each justice of the Supreme Court, and to every district judge, power to grant writs of habeas corpus, for the purpose of an inquiry into the cause of commitment. The petition was presented to me at Washington, under the impression that I would order the prisoner to be brought before me there, but as he was confined in Fort McHenry, at the city of Baltimore, which is in my circuit, I resolved to hear it in the latter city, as obedience to the writ, under such circumstances, would not withdraw General Cadwalader, who had him in charge, from the limits of his military command.

The petition presents the following case: The petitioner resides in Maryland, in Baltimore county. While peaceably in his own house, with his family, it was, at two o'clock, on the morning of the 25th of May, 1861, entered by an armed force, professing to act under military orders. He was then compelled to rise from his bed, taken into custody, and conveyed to Fort McHenry, where he is imprisoned by the commanding officer, without warrant from any lawful authority.

The commander of the fort, General George Cadwalader, by whom he is detained in confinement, in his return to the writ, does not deny any of the

facts alleged in the petition. He states that the prisoner was arrested by order of General Keim, of Pennsylvania, and conducted as a prisoner to Fort McHenry by his order, and placed in his (General Cadwalader's) custody, to be there detained by him as a prisoner.

A copy of the warrant, or order, under which the prisoner was arrested, was demanded by his counsel, and refused. And it is not alleged in the return that any specific act, constituting an offense against the laws of the United States, has been charged against him upon oath; but he appears to have been arrested upon general charges of treason and rebellion, without proof, and without giving the names of the witnesses, or specifying the acts, which, in the judgment of the military officer, constituted these crimes. And having the prisoner thus in custody upon these vague and unsupported accusations, he refuses to obey the writ of habeas corpus, upon the ground that he is duly authorized by the President to suspend it.

The case, then, is simply this: A military officer, residing in Pennsylvania, issues an order to arrest a citizen of Maryland upon vague and indefinite charges, without any proof, so far as appears. Under this order his house is entered in the night; he is seized as a prisoner, and conveyed to Fort McHenry, and there kept in close confinement. And when a habeas corpus is served on the commanding officer, requiring him to produce the prisoner before a justice of the Supreme Court, in order that he may examine into the legality of the imprisonment, the answer of the officer is, that he is authorized by the President to suspend the writ of habeas corpus at his discretion; and, in the exercise of that discretion, suspends it in this case, and on that ground refuses obedience to the writ.

As the case comes before me, therefore, I understand that the President not only claims the right to suspend the writ of habeas corpus himself, at his discretion, but to delegate that discretionary power to a military officer, and to leave it to him to determine whether he will or will not obey judicial process that may be served upon him.

No official notice has been given to the courts of justice, or to the public, by proclamation, or otherwise, that the President claimed this power, and had exercised it in the manner stated in the return. And I certainly listened to it with some surprise, for I had supposed it to be one of those points of constitutional law upon which there was no difference of opinion, and that it was admitted on all hands that the privilege of the writ could not be suspended, except by act of Congress.

When the conspiracy of which Aaron Burr was the head, became so formidable, and was so exten-



sively ramified, as to justify, in Mr. Jefferson's opinion, the suspension of the writ, he claimed, on his part, no power to suspend it—but communicated his opinion to Congress, with all the proofs in his possession in order that Congress might exercise its discretion upon the subject, and determine whether the public safety required it. And in the debate which took place upon the subject, no one suggested that Mr. Jefferson might exercise the power himself, if, in his opinion, the public safety demanded it.

Having, therefore, regarded the question as too plain and too well settled to be open to dispute, if the commanding officer had stated that upon his own responsibility, and in the exercise of his own discretion he refused obedience to the writ, I should have contented myself with referring to the clause in the Constitution, and to the construction it received from every jurist and statesman of that day, when the case of Burr was before them. But being thus officially notified that the privilege of the writ has been suspended under the orders, and by the authority of the President, and, believing as I do, that the President has exercised a power which he does not possess under the Constitution, a proper respect for the high office he fills requires me to state plainly and fully the grounds of my opinion, in order to show that I have not ventured to question the legality of his act without a careful and deliberate examination of the whole subject.

The clause in the Constitution, which authorizes the suspension of the privilege of the writ of habeas corpus, is in the 9th section of the first article.

This article is devoted to the legislative department of the United States, and has not the slightest reference to the executive department. It begins by providing "that all legislative powers therein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives." And after prescribing the manner in which these two branches of the legislative department shall be chosen, it proceeds to enumerate specifically the legislative powers which it thereby grants, and legislative powers which it expressly prohibits, and, at the conclusion of this specification, a clause is inserted, giving Congress "the power to make all laws which may be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States or in any department or office thereof."

The power of legislation granted by this latter clause is by its words carefully confined to the specific objects before enumerated. But as this limitation was unavoidably somewhat indefinite it was

deemed necessary to guard more effectually certain great cardinal principles essential to the liberty of the citizen, and to the rights and equality of the States, by denying to Congress, in express terms, any power of legislating over them. It was apprehended, it seems, that such legislation might be attempted under the pretext that it was necessary and proper to carry into execution the powers granted; and it was determined that there should be no room to doubt, where rights of such vital importance were concerned; and accordingly, this clause is immediately followed by an enumeration of certain subjects, to which the powers of legislation shall not extend; and the great importance which the framers of the Constitution attached to the privilege of the writ of habeas corpus to protect the liberty of the citizen, is proved by the fact that its suspension, except in cases of invasion and rebellion, is first in the list of prohibited powers—and even in these cases, the power is denied, and its exercise prohibited, unless the public safety shall require it. It is true that in the cases mentioned, Congress is of necessity the judge of whether the public safety does or does not require it; and its judgment is conclusive. But the introduction of these words is a standing admonition to the legislative body of the danger of suspending it, and of the extreme caution they should exercise before they give the Government of the United States such power over the liberty of a citizen.

It is the second article of the Constitution that provides for the organization of the executive department, and enumerates the powers conferred on it, and prescribes its duties. And if the high power over the liberty of the citizen now claimed was intended to have been conferred on the President, it would undoubtedly be found in plain words in this article. But there is not a word in it that can furnish the slightest ground to justify the exercise of the power.

The article begins by declaring that the executive power shall be vested in a President of the United States of America, to hold his office during the term of four years—and then proceeds to prescribe the mode of election, and to specify in precise and plain words the powers delegated to him and the duties imposed upon him. And the short term for which he is elected, and the narrow limits to which his power is confined, show the jealousy and apprehensions of future danger which the framers of the Constitution felt in relation to that department of the Government—and how carefully they withheld from it many of the powers belonging to the executive branch of the English government which were considered as dangerous to the liberty of the subject—and conferred (and that in



clear and specific terms) those powers only which were deemed essential to secure the successful operation of the Government.

He is elected, as I have already said, for the brief term of four years, and is made personally responsible, by impeachment, for malfeasance in office. He is from necessity and the nature of his duties the Commander-in-Chief of the army and navy, and of the militia, when called into actual service. But no appropriation for the support of the army can be made by Congress for a longer term than two years, so that it is in the power of the succeeding House of Representatives to withhold the appropriation for its support, and thus disband it, if in their judgment the President used, or designed to use it for improper purposes. And although the militia, when in actual service, are under his command, yet the appointment of officers is reserved to the States, as a security against the use of the military power for purposes dangerous to the liberties of the people or the rights of the States.

So, too, his powers in relation to the civil duties and authority necessarily conferred on him are carefully restricted, as well as those belonging to his military character. He cannot appoint the ordinary officers of government, nor make a treaty with a foreign nation or Indian tribe, without the advice or consent of the Senate, and cannot appoint even inferior officers unless he is authorized by an act of Congress to do so. He is not empowered to arrest any one charged with an offense against the United States, and whom he may, from the evidence before him, believe to be guilty; nor can he authorize any officer, civil or military, to exercise this power, for the fifth article of the amendments to the Constitution expressly provides that no person "shall be deprived of life, liberty, or property, without due process of law"—that is, judicial process. And even if the privilege of the writ of habeas corpus was suspended by act of Congress, and a party not subject to the rules and articles of war was afterwards arrested and imprisoned by regular judicial process—he could not be detained in prison or brought to trial before a military tribunal, for the article in the amendments to the Constitution immediately following the one above referred to—that is, the sixth article, provides that: "In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law; and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for ob-

taining witnesses in his favor; and to have the assistance of counsel for his defense."

And the only power, therefore, which the President possesses, where the "life, liberty, or property" of a private citizen is concerned, is the power and duty prescribed in the third section of the second article, which requires "that he shall take care that the laws be faithfully executed." He is not authorized to execute them himself, or through agents or officers, civil or military, appointed by himself, but he is to take care that they be faithfully carried into execution, as they are expounded and adjudged by the co-ordinate branch of the Government, to which that duty is assigned by the Constitution. It is thus made his duty to come in aid of the judicial authority, if it shall be resisted by a force too strong to be overcome without the assistance of the executive arm. But in exercising this power, he acts in subordination to judicial authority, assisting it to execute its process, and enforce its judgments.

With such provisions in the Constitution, expressed in language too clear to be misunderstood by any one, I can see no ground whatever for supposing that the President, in any emergency or in any state of things, can authorize the suspension of the privilege of the writ of habeas corpus, or arrest a citizen, except in aid of the judicial power. He certainly does not faithfully execute the laws if he takes upon himself legislative power by suspending the writ of habeas corpus—and the judicial power also, by arresting and imprisoning a person without due process of law. Nor can any argument be drawn from the nature of sovereignty, or the necessities of government for self-defense in times of tumult and danger. The Government of the United States is one of delegated and limited powers. It derives its existence and authority altogether from the Constitution, and neither of its branches, executive, legislative, or judicial, can exercise any of the powers of government beyond those specified and granted. For the tenth article of the amendments to the Constitution, in express terms, provides that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

Indeed, the security against imprisonment by executive authority, provided for in the fifth article of the amendments to the Constitution, which I have before quoted, is nothing more than a copy of a like provision in the English Constitution, which had been firmly established before the Declaration of Independence.

Blackstone, in his Commentaries (1st vol.; 137), states it in the following words: "To make imprison-



ment lawful, it must be either by process from the courts of judicature or by warrant from some legal officer having authority to commit to prison." And the people of the United Colonies, who had themselves lived under its protection while they were British subjects, were well aware of the necessity of this safeguard for their personal liberty. And no one can believe that in framing a government intended to guard still more efficiently the rights and the liberties of the citizens against executive encroachment and oppression, they would have conferred on the President a power which the history of England had proved to be dangerous and oppressive in the hands of the crown, and which the people of England had compelled it to surrender after a long and obstinate struggle on the part of the English executive to usurp and retain it.

The right of the subject to the benefit of the writ of habeas corpus, it must be recollected, was one of the great points in controversy during the long struggle in England between arbitrary government and free institutions, and must therefore have strongly attracted the attention of statesmen engaged in framing a new and, as they supposed, a freer government than the one which they had thrown off by the Revolution. For from the earliest history of the common law, if a person was imprisoned—no matter by what authority—he had a right to the writ of habeas corpus to bring his case before the King's Bench; and if no specific offense was charged against him in the warrant of commitment he was entitled to be forthwith discharged; and if an offense was charged which was bailable in its character, the court was bound to set him at liberty on bail. And the most exciting contests between the crown and the people of England from the time of Magna Charta were in relation to the privilege of this writ, and they continued until the passage of the statute of 31st Charles II, commonly known as the great habeas corpus act. This statute put an end to the struggle, and finally and firmly secured the liberty of the subject from the usurpation and oppression of the executive branch of the government. It nevertheless conferred no new right upon the subject, but only secured a right already existing. For, although the right could not justly be denied, there was often no effectual remedy against its violation. Until the statute of the 13th of William III, the judges held their offices at the pleasure of the king, and the influence which he exercised over timid, time-serving and partisan judges often induced them, upon some pretext or other, to refuse to discharge the party, although he was entitled to it by law, or delayed their decisions from time to time, so as to prolong the imprisonment of persons who were obnoxious

to the king for their political opinions, or who had incurred his resentment in any other way.

The great and inestimable value of the habeas corpus act of the 31st Charles II, is that it contains provisions which compel courts and judges, and all parties concerned, to perform their duties promptly, in the manner prescribed in the statute.

A passage in Blackstone's Commentaries, showing the ancient state of the law upon this subject, and the abuses which were practiced through the power and influence of the crown, and a short extract from Hallam's Constitutional History, stating the circumstances which gave rise to the passage of this statute, explain briefly, but fully, all that is material to this subject.

Blackstone, in his Commentaries on the Laws of England, (3d vol., 133, 134,) says:

"To assert an absolute exemption from imprisonment in all cases, is inconsistent with every idea of law and political society; and in the end, would destroy all civil liberty, by rendering its protection impossible.

"But the glory of the English law consists in clearly defining the times, the causes, and the extent, when, wherefore, and to what degree, the imprisonment of the subject may be lawful. This it is, which induces the absolute necessity of expressing upon every commitment the reason for which it is made: that the court of habeas corpus may examine into its validity; and according to the circumstances of the case may discharge, admit to bail, or remand the prisoner.

"And yet, early in the reign of Charles I, the court of king's bench, relying on some arbitrary precedents (and these perhaps misunderstood) determined that they could not upon an habeas corpus either bail or deliver a prisoner, though committed without any cause assigned, in case he was committed by the special command of the king, or by the lords of the privy council. This drew on a parliamentary inquiry, and produced the *Petition of Right*—3 Chas. I,—which recites this illegal judgment, and enacts that no freeman hereafter shall be so imprisoned or detained. But when, in the following year, Mr. Selden and others were committed by the lords of the council, in pursuance of his majesty's special command, under a general charge of 'notable contempts and stirring up sedition against the king and government,' the judges delayed for two terms (including also the long vacation) to deliver an opinion how far such a charge was bailable. And, when at length they agreed that it was, they however annexed a condition of finding sureties for the good behavior, which still protracted their imprisonment, the chief justice, Sir Nicholas Hyde, at the same time declaring, that 'if they were again remanded for that cause, perhaps the court would not afterwards grant a habeas corpus, being already made acquainted with the cause of the imprisonment.' But this was heard with indignation and astonishment by every lawyer present; according to Mr. Selden's own account of the matter, whose resentment was not cooled at the distance of four and twenty years."

It is worthy of remark that the offenses charged against the prisoner in this case, and relied on as a justification for his arrest and imprisonment, in their nature and character, and the loose and vague



manner in which they are stated, bear a striking resemblance to those assigned in the warrant for the arrest of Mr. Selden. And yet, even at that day, the warrant was regarded as such a flagrant violation of the rights of the subject, that the delay of the time-serving judges to set him at liberty upon the habeas corpus issued in his behalf excited the universal indignation of the bar. The extract from Hallam's Constitutional History is equally impressive and equally in point. It is in vol. 4, p. 14.

"It is a very common mistake, and not only among foreigners, but many from whom some knowledge of our constitutional laws might be expected, to suppose, that this statute of Charles II, enlarged in a great degree our liberties, and forms a sort of epoch in their history. But though a very beneficial enactment, and eminently remedial in many cases of illegal imprisonment, it introduced no new principle, nor conferred any right upon the subject. From the earliest records of the English law, no freeman could be detained in prison, except upon a criminal charge, or conviction, or for a civil debt. In the former case, it was always in his power to demand of the court of king's bench a writ of habeas corpus *ad subjiciendum*, directed to the person detaining him in custody, by which he was enjoined to bring up the body of the prisoner with the warrant of commitment that the court might judge of its sufficiency, and remand the party, admit him to bail, or discharge him, according to the nature of the charge. This writ issued of right, and could not be refused by the court: It was not to bestow an immunity from arbitrary imprisonment, which is abundantly provided for in Magna Charta (if, indeed, it were not more ancient,) that the statute of Charles II, was enacted, but to cut off all the abuses by which the government's lust of power, and the servile subtlety of crown lawyers had impaired so fundamental a privilege."

While the value set upon this writ in England has been so great that the removal of the abuses which embarrassed its enjoyment have been looked upon as almost a new grant of liberty to the subject, it is not to be wondered at that the continuance of the writ thus made effective should have been the object of the most jealous care. Accordingly, no power in England short of that of Parliament can suspend or authorize the suspension of the writ of habeas corpus. I quote again from Blackstone (1 Comm., 136:)

"But the happiness of our Constitution is, that it is not left to the executive power to determine when the danger of the state is so great, as to render this measure expedient; for it is the Parliament only, or legislative power, that, whenever it sees proper, can authorize the crown, by suspending the habeas corpus act for a short and limited time, to imprison suspected persons without giving any reason for so doing."

And if the President of the United States may suspend the writ, then the Constitution of the United States has conferred upon him more regal and absolute power over the liberty of the citizen than the people of England have thought it safe to entrust to the crown—a power which the queen of England cannot exercise at this day, and which

could not have been lawfully exercised by the sovereign, even in the reign of Charles the First.

But I am not left to form my judgment upon this great question from analogies between the English government and our own, or the commentaries of English jurists, or the decisions of English courts, although upon this subject they are entitled to the highest respect, and are justly regarded and received as authoritative by our courts of justice. To guide me to a right conclusion, I have the Commentaries on the Constitution of the United States, of the late Mr. Justice Story, not only one of the most eminent jurists of the age, but for a long time one of the brightest ornaments of the Supreme Court of the United States, and also the clear and authoritative decision of that court itself, given more than half a century since, and conclusively establishing the principles I have above stated.

Mr. Justice Story, speaking in his Commentaries of the habeas corpus clause in the Constitution, says:

"It is obvious, that cases of a peculiar emergency may arise, which may justify, nay even require, the temporary suspension of any right to the writ. But as it has frequently happened in foreign countries, and even in England, that the writ has, upon various pretexts and occasions, been suspended, whereby persons apprehended upon suspicion have suffered a long imprisonment, sometimes from design, and sometimes, because they were forgotten, the right to suspend it is expressly confined to cases of rebellion or invasion, where the public safety may require it. A very just and wholesome restraint, which cuts down at a blow a fruitful means of oppression, capable of being abused in bad times to the worst of purposes. Hitherto no suspension of the writ has ever been authorized by Congress since the establishment of the Constitution. It would seem, as the power is given to Congress to suspend the writ of habeas corpus in cases of rebellion or invasion, that the right to judge, whether exigency had arisen, must exclusively belong to that body." 3 Story's Comm. on the Constitution, section 1836.

And Chief Justice Marshall, in delivering the opinion of the Supreme Court in the case of *ex parte Bollman and Swartwout*, uses this decisive language in 4 Cranch, 95:

"It may be worthy of remark that this act [speaking of the one under which I am proceeding,] was passed by the first Congress of the United States, sitting under a Constitution which had declared 'that the privilege of the writ of habeas corpus should not be suspended, unless when, in cases of rebellion or invasion, the public safety might require it.' Acting under the immediate influence of this injunction, they must have felt with peculiar force the obligation of providing efficient means by which this great constitutional privilege should receive life and activity; for if the means be not in existence, the privilege itself would be lost, although no law for its suspension should be enacted. Under the impression of this obligation, they gave to all the courts the power of awarding writs of habeas corpus."

And again, in page 101:

"If at any time the public safety should require the sus-



pension of the powers vested by this act in the courts of the United States, it is for the Legislature to say so. That question depends on political considerations, on which the Legislature is to decide. Until the legislative will be expressed, this court can only see its duty, and must obey the laws."

I can add nothing to these clear and emphatic words of my great predecessor.

But the documents before me show that the military authority in this case has gone far beyond the mere suspension of the privilege of the writ of habeas corpus. It has, by force of arms, thrust aside the judicial authorities and officers to whom the Constitution has confided the power and duty of interpreting and administering the laws, and substituted a military government in its place, to be administered and executed by military officers. For at the time these proceedings were had against John Merryman, the district judge of Maryland—the commissioner appointed under the act of Congress—the district attorney and marshal—all resided in the city of Baltimore, a few miles only from the home of the prisoner. Up to that time there had never been the slightest resistance or obstruction to the process of any court or judicial officer of the United States in Maryland, except by the military authority. And, if a military officer, or any other person, had reason to believe that the prisoner had committed any offense against the laws of the United States, it was his duty to give information of the fact, and the evidence to support it, to the district attorney, and it would then have been the duty of that officer to bring the matter before the district judge or commissioner, and if there was sufficient legal evidence to justify his arrest, the judge or commissioner would have issued his warrant to the marshal to arrest him; and upon the hearing of the party would have held him to bail, or committed him for trial, according to the character of the offense as it appeared in the testimony, or would have discharged him immediately, if there was not sufficient evidence to support the accusation. There was no danger of any obstruction or resistance to the action of the civil authorities, and therefore no reason whatever for the interposition of the military. And yet, under these circumstances, a military officer, stationed in Pennsylvania, without giving any information to the district attorney, and without any application to the judicial authorities, assumes to himself the judicial power in the district of Maryland; undertakes to decide what constitutes the crime of treason or rebellion; what evidence (if, indeed, he required any) is sufficient to support the accusation and justify the commitment; and commits the party, without having a hearing even before himself, to close custody in a strongly garrisoned fort, to be there held, it would seem, during the pleasure of those who committed him.

The Constitution provides, as I have before said, that "no person shall be deprived of life, liberty, or property, without due process of law." It declares that "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized." It provides that the party accused shall be entitled to a speedy trial, in a court of justice.

And these great and fundamental laws, which Congress itself could not suspend, have been disregarded and suspended, like the writ of habeas corpus, by a military order, supported by force of arms. Such is the case now before me, and I can only say, that if the authority which the Constitution has confided to the judicial department and judicial officers, may thus upon any pretext or under any circumstances be usurped by the military power at its discretion, the people of the United States are no longer living under a government of laws, but every citizen holds life, liberty, and property, at the will and pleasure of the army officer in whose military district he may happen to be found.

In such a case my duty was too plain to be mistaken. I have exercised all the power which the Constitution and laws confer on me, but that power has been resisted by a force too strong for me to overcome. It is possible that the officer who has incurred this grave responsibility may have misunderstood his instructions, and exceeded the authority intended to be given him. I shall, therefore, order all the proceedings in this case, with my opinion, to be filed and recorded in the circuit court of the United States for the district of Maryland, and direct the clerk to transmit a copy, under seal, to the President of the United States. It will then remain for that high officer, in fulfillment of his constitutional obligation, to "take care that the laws be faithfully executed," to determine what measures he will take to cause the civil process of the United States to be respected and enforced.

R. B. TANEY, Chief Justice  
of the Supreme Court of the United States.

[The question here raised is one which has been ably canvassed by our best legal minds. We may particularly refer to Reverdy Johnson's response to this opinion of Judge Taney, as a very powerful, and, in many respects, conclusive defense of the President's right to suspend the act.]

A singular illustration is also had in the case of the seizure by Gen. Wilkinson, at New Orleans, (1807.)



of two persons charged with conspiracy, and their transportation to Washington for trial, *in spite of* the demand of their friends for their release under the habeas corpus act. Jefferson, in his letter to Mr. Colvin, (1810,) justified this seizure, *upon suspicion*, as a primary right. See 4 Jefferson's Memoirs, &c., 149, 151, (edition 1829;) and 3 Story's Commentaries, 749, where the matter is referred to. Story regards the seizure as a "gross violation of the Constitution."]

#### MAJOR-GENERAL PATTERSON'S DEFENSE.

In the absence of the full statement promised by General Patterson concerning the failure of his campaign on the Upper Potomac, [see pages — — Vol. II.,] we extract from the proceedings of a public dinner given in Philadelphia, Nov. 16th, 1861, the substance of the General's remarks.

After stating that he was not in the habit of giving reasons for what he did or did not do, he went on to say that, during the latter part of July, all August, and part of September, there was no slander against him so gross that it could not be asserted and reiterated with impunity and swallowed with avidity. The gentlemen of the Troop knew how false these slanders were. He had submitted to them in quiet, although he had the documents in his possession to prove that he did all that he was ordered to do, and more than any one had a right to expect under the circumstances in which he and his command were placed, and he defied any man, high or low, to put his finger on an order disobeyed. He asserted what they knew to be true, that the column was well conducted. There was not a false step made, nor a blunder committed. The skirmishers were always in front, and the flanks well protected. They were caught in no trap, and fell into no ambushade. They repeatedly offered the enemy battle, and when they accepted it they beat them. There was no defeat and no retreat with his column.

It might be asked, "Why have you not made this statement sooner?" Because the publication of the documents sooner would have been most detrimental to the public interests. He preferred bearing the odium so liberally bestowed on him, rather than clear himself at the expense of the cause in which we were all engaged. The time had arrived when the matter could, without injury to the service, be inquired into; and he was determined that it should be done, and that before long all the documents referred to should be published and spread before the American people, unless those whose duty it was to do so should in the mean time do him justice.

He would state a few facts. On the 3d of June he took command at Chambersburg. On the 4th he was informed by the General-in-Chief that he considered the addition to his force of a battery of artillery and some regular infantry indispensable. On the 8th of June a letter of instructions was sent him, in which he was told that there must be no reverse; a check or a drawn battle would be a victory to the enemy, filling his heart with joy, his ranks with men and his magazines with voluntary contributions, and, therefore, to take his measures circumspectly, and attempt nothing without a clear prospect of success. This was good instruction—most sensible advice. Good or bad, however, his duty was to obey, and obey he did.

On Friday, the 13th, he was informed that, on the supposition that he would cross the river on the next Monday, General McDowell would be instructed to make a demonstration on Manassas Junction. He was surprised at the order, but promptly obeyed. On the 15th he reached Hagerstown, and on the 16th two-thirds of his forces had crossed the Potomac. The promised demonstration by General McDowell, in the direction of Manassas Junction, was not made; and on the 16th, just three days after he had been told he was expected to cross, he was telegraphed by the General-in-Chief to send him "at once all the regular troops, horse and foot, and the Rhode Island regiment and battery," and told that he was strong enough without the regulars, and to keep within limits until he could satisfy him that he ought to go beyond them. On the 17th, he was again telegraphed: "We are pressed here. Send the troops I have twice called for without delay." This was imperative, and the troops were sent, leaving him without a single piece of artillery, and, for the time, a single troop of cavalry. It was a gloomy night, but they were all brought over the river again without loss.

On the 20th of June, he was asked by the General-in-Chief to propose, without delay, a plan of operations. On the 21st he submitted to the General-in-Chief his plan, which was to abandon the present line of operations, move all supplies to Frederick, occupy Maryland Heights with Major Doubleday's heavy guns, and a brigade of infantry to support them, and with everything else—horse, foot and artillery—to cross the Potomac at Point of Rocks, and unite with Colonel Stone's force at Leesburgh, from which point he could operate as circumstances should demand and the General's orders should require. No reply was received; but, on the 27th, the General telegraphed him that he supposed he was that day crossing the river in pursuit of the enemy.

On that day the enemy was in condition to cross the river in pursuit. He had over fifteen thousand



men, and from twenty to twenty-four guns. General Patterson had about ten thousand men and six guns, the latter immovable for want of harness. On the 25th he informed the General of the strength of the enemy and of his own force; that he would not, on his own responsibility, attack without artillery, but would do so cheerfully and promptly if he would give him an explicit order to that effect. No order was given. On the 29th he received the harness for his single battery of six smooth-bore guns, and on the 30th gave the order to cross. On the 2d of July he crossed, met the enemy and whipped them.

On the 9th of July a council was held, at which all the commanders of divisions and brigades, and chiefs of staff were present. Colonel Stone, the junior line officer, spoke twice and decidedly against an advance, advocating a direct movement to Shepardstown and Charlestown. All who spoke opposed an advance, and all voted against one. On the same day, he informed the General-in-Chief of the condition of affairs in the valley, and proposed that he should go to Charlestown and occupy Harper's Ferry, and asked to be informed when he would attack Manassas. On the 12th he was directed to go where he had proposed, and informed that *Manassas would be attacked on Tuesday, the 16th*. On the 13th he was telegraphed—"If not strong enough to beat the enemy early next week, make demonstrations so as to detain him in the valley of Winchester." He made the demonstrations, and on the 16th, the day General Scott said he would attack Manassas, he drove the enemy's pickets into his intrenchments at Winchester, and on the 17th, marched to Charlestown.

On the 13th he telegraphed the General-in-Chief that Johnston was in a position to have his strength doubled just as he could reach him, and that he would rather lose the chance of accomplishing something brilliant than by hazarding his column, to destroy the fruits of the campaign by defeat, closing his telegram thus: "If wrong, let me be instructed." But no instructions came. This was eight days before the battle of Manassas. On the 17th, General Scott telegraphed: "McDowell's first day's work *has driven the enemy beyond Fairfax Court-House. To-morrow the Junction will probably be carried.*" With this information he was happy. Johnston had been detained the appointed time, and the work of General Patterson's column had been done.

On the 18th, at half-past one in the morning, he telegraphed General Scott the condition of the enemy's force and of his own, referring to his letter of the 16th for full information, and closed the dispatch by asking, "*Shall I attack?*" This was plain English and could not be misunderstood, but he re-

ceived no reply. He expected to be attacked where he was, and if Manassas was not to be attacked on that day as stated in General Scott's dispatch of the day previous, he ought to have been ordered down forthwith to join in the battle, and the attack delayed until he came. He could have been there on the day that the battle was fought, and his assistance might have produced a different result.

On the 20th he heard that Johnston had marched with thirty-five thousand Confederate troops, and a large artillery force, in a southeasterly direction. He immediately telegraphed the information to General Scott, and knew that he received it the same day.

In accordance with instructions he came to Harper's Ferry on the 21st, which place he held until relieved.

This *ex parte* statement relieves the General from much of the odium affixed to his name; but, though much time has elapsed since it was made, and none in authority have done him the justice demanded above, the more complete *expose* promised by him, with proper vouchers, has not been published; and we are, therefore, to infer that the defense is confined to the showing made above. In our notice of the battle of Bull Run, we shall have occasion to review at some length General Patterson's responsibility for that disaster.

#### EVIDENCE BEFORE THE INVESTIGATING COMMITTEE IN THE MATTER OF GENERAL PATTERSON'S MISCONDUCT OF HIS CAMPAIGN.

In a speech made in the United States Senate, July 16th, 1862, by Mr. Chandler, he said, among other things:

Upon the cause or causes of that disaster, (Bull Run,) I propose to dwell very briefly. The army of the Potomac at that time was composed of two columns. The one under Patterson, at Martinsburg, consisted of a force of about twenty thousand effective men of all arms; the other, under McDowell, of about thirty-five thousand, and a reserve in Washington. Lieutenant-General Scott in command of all, conducting both columns.

I will read General Patterson's orders:

WASHINGTON, July 13th, 1861.

GENERAL R. PATTERSON: I telegraphed you yesterday. If not strong enough to beat the enemy early next week, make demonstrations so as to detain him in the valley of Winchester. But if he retreats in force toward Manassas, and it be hazardous to follow him, then consider the route via Keyes Ferry, Leesburg, &c.

WINFIELD SCOTT.

WASHINGTON, July 17th, 1861.

GENERAL PATTERSON, &c.: I have nothing official from you since Sunday last, but am glad to learn through Philadelphia



papers that you have advanced. Do not let the enemy amuse and delay you with a small force in front, while he reenforces the Junction with his main body. McDowell's first day's work has driven the enemy beyond Fairfax Courthouse. The Junction will probably be carried to-morrow.

WINFIELD SCOTT.

Had these orders been obeyed, Johnston could never have joined Beauregard; had Johnston not joined Beauregard, the battle of Bull Run would have been but a skirmish between forces greatly unequal, and the army of the South would have been destroyed. The failure, therefore, of Patterson to hold Johnston was the primal cause of that inglorious defeat. Why did not Patterson obey orders?

Before the battle was fought, General Scott telegraphed to General Patterson:

WASHINGTON, July 18th, 1861.

MAJOR-GENERAL PATTERSON, &C.: I have certainly been expecting you to beat the enemy. If not, to hear that you had felt him strongly, or at least had occupied him by threats and demonstrations. You have been at least his equal, and I suppose superior, in number. Has he not stolen a march and sent reenforcements toward Manassas Junction? A week is enough to win a victory. \* \* \* \* \*

WINFIELD SCOTT.

Patterson had turned off from Bunker Hill, where he was threatening Johnston, to Charlestown, on the 17th of July. Upon receipt of the above telegram, he replied as follows:

CHARLESTOWN, July 18th, 1861.

COLONEL E. D. TOWNSEND, A. A. G., &C.: Telegram of to-day received. The enemy has stolen no march upon me. I have kept him actively employed, and by threats and reconnaissances in force caused him to be reenforced. I have accomplished more in this respect than the General-in-Chief asked, or could well be expected, in face of an enemy far superior in numbers, with no line of communication to protect. \* \* \* \* \*

R. PATTERSON.

General Scott says, in relation to this matter:

"General Patterson was never ordered by me, as he seems to allege, to attack the enemy without a probability of success; but on several occasions he wrote as if he were assured of victory. For example, June 12th, he says he is 'resolved to conquer, and will risk nothing;' and July 4th, expecting supplies the next day, he adds: 'As soon as they arrive I shall advance to Winchester to drive the enemy from that place.' Accordingly, he issued orders for the movement on the 8th, next called a council of war, and stood fast at Martinsburg.

"But although General Patterson was never specifically ordered to attack the enemy, he was certainly told and expected, even with inferior numbers, to hold the rebel army in his front on the alert, and to prevent it from reenforcing Manassas Junction, by threatening manœuvres and demonstrations; results often obtained in war with half numbers.

"After a time General Patterson moved from Bunker Hill, and then fell off upon Charlestown, whence he seems to have made no other demonstration that did not look like a retreat out of Virginia. From that moment Johnston was at liberty to join Beauregard with any part of the army of Winchester."

The reason assigned by Patterson and his staff

was that Johnston had received large reenforcements and greatly outnumbered him both in men and guns. General Patterson testifies:

"The immense superiority of the enemy at Winchester in men and guns, as well as in position, was well known. The information was obtained from Union men who had been there, from prisoners, from deserters, and from various sources, all agreeing on an average of forty thousand men, and over sixty guns."

Colonel Price says:

"He (General Patterson) got positive information at Bunker Hill that Johnston had forty-two thousand men at Winchester, and, I think, sixty-three pieces of artillery."

Colonel Biddle says:

"Everybody represented the force of General Johnston at from thirty to forty thousand men."

That is the testimony of Patterson and his staff. The facts were that Johnston had received no reenforcements except of undisciplined, unorganized militia from the surrounding country, and held an effective force less than that of Patterson.

Nathaniel F. Palmer (prisoner at Winchester) says:

"We concluded that by the 18th (July) there were but very little over thirteen thousand men there."

Dr. Ira Tripp (prisoner at Winchester) says that there were about twelve thousand men of the enemy at Winchester on the 18th of July.

Alfred Spates, President of the Chesapeake and Ohio Canal, says:

"The general impression in that vicinity was that Johnston's army was between eight and ten thousand men. I never heard any man put it higher than ten thousand men."

A. R. Stoke, General Superintendent of the Chesapeake and Ohio Canal, says:

"I know that it was the impression throughout the community, and in the army, that there were not more than ten thousand men under Johnston; and there is this additional fact ascertained since, from perfectly trustworthy gentlemen, that there never was at any time in Winchester as many as fourteen thousand men, and of those there were perhaps four or five thousand militia, badly armed and equipped."

Colonel David B. Birney (Twenty-third Pennsylvania volunteers) says:

"I thought, from information that I got from the people there in the country, that he (General Johnston) had from fifteen to twenty thousand men."

General Sanford says, in reference to the story that Johnston had been reenforced:

"They all had got this story, which was without the slightest shadow of foundation, for there had not a single man arrived at the camp since we had got full information that their whole force consisted of twenty thousand men, of whom eighteen hundred were sick with the measles. The story was, however, that they had ascertained by trustworthy information of this reenforcement. Where they got their information, I do not know. None such reached me, and I picked up deserters and other persons to get all the information I could. And we since have learned, as a matter of certainty, that Johnston's force never did exceed twenty thousand men."

Upon this melancholy statement of facts I will neither comment nor dwell.



## BEAUREGARD'S OFFICIAL REPORT

OF THE BATTLE OF MANASSAS, VA., FOUGHT JULY 21st, 1861.

HEAD-QUARTERS, FIRST CORPS  
ARMY OF THE POTOMAC,  
MANASSAS, August 26th, 1861. }

GENERAL: The War Department having been informed by me, by telegraph on the 17th of July, of the movement of General McDowell, General Johnston was immediately ordered to form a junction of his army corps with mine, should the movement, in his judgment, be deemed advisable. General Holmes was also directed to push forward with two regiments, a battery and one company of cavalry.

In view of these propositions, approaching reinforcements modifying my plan of operations so far as to determine on attacking the enemy at Centreville as soon as I should hear of the near approach of the two reenforcing columns, I sent one of my aids, Colonel Chrisholm, of South Carolina, to meet and communicate my plans to General Johnston, and my wish that one portion of his force should march by the way of Aldie, and take the enemy on his right flank and in the rear at Centreville. Difficulties, however, of an insuperable character in connection with means of transportation, and the marching condition of his troops, made this impracticable, and it was determined our forces should be united within the lines of Bull Run, and thence advance to the attack of the enemy.

General Johnston arrived here about noon on the 20th July, and being my senior in rank, he necessarily assumed command of all the force of the Confederate States, then concentrating at this point. Made acquainted with my plan of operations and dispositions to meet the enemy, he gave them his entire approval, and generously directed their execution under my command.

In consequence of the untoward detention, however, of some five thousand (5 000) of General Johnston's army corps, resulting from the inadequate and imperfect means of transportation for so many troops, at the disposition of the Manassas Gap Railroad, it became necessary, on the morning of the 21st, before daylight, to modify the plan accepted to suit the contingency of an immediate attack on our lines by the main force of the enemy, then plainly at hand.

The enemy's forces, reported by their best-informed journals to be fifty-five thousand strong, I had learned from reliable sources, on the night of the 20th, were being concentrated in and around Centreville, and along the Warrenton turnpike road, to Bull Run, near which our respective pickets were in immediate proximity. This fact, with the

conviction that, after his signal discomfiture on the 18th of July, before Blackburn's Ford—the centre of my lines—he would not renew the attack in that quarter, induced me at once to look for an attempt on my left flank, resting on the Stone Bridge, which was but weakly guarded by men, as well as but slightly provided with artificial defensive appliances and artillery.

In view of these palpable military conditions, by half-past four A. M., on the 21st July, I had prepared and dispatched orders, directing the whole of the Confederate forces within the lines of Bull Run, including the brigades, and regiments of General Johnston, which had arrived at that time, to be held in readiness to march at a moment's notice.

At that hour the following was the disposition of our forces:

Ewell's brigade, constituted as on the 18th of July, remained in position at Union Mills Ford, his left extending along Bull Run, in the direction of McLean's Ford, and supported by Holmes' brigade, Second Tennessee and First Arkansas regiments a short distance to the rear—that is, at and near Camp Wigfall.

D. R. Jones' brigade, from Ewell's left, in front of McLean's Ford, and along the stream to Longstreet's position. It was unchanged in organization, and was supported by Early's brigade, also unchanged, placed behind a thicket of young pines, a short distance in the rear of McLean's Ford.

Longstreet's brigade held its former ground at Blackburn's Ford, from Jones' left to Bonham's right, at Mitchell's Ford, and was supported by Jackson's brigade, consisting of Colonels James L. Preston's Fourth, Harper's Fifth, Allen's Second, the Twenty-seventh, Lieutenant-Colonel Echoll's, and the Thirty-third, Cumming's Virginia regiments, two thousand six hundred and eleven strong, which were posted behind the skirting of pines to the rear of Blackburn's and Mitchell's Fords, and in the rear of this support was also Barksdale's Thirteenth regiment Mississippi volunteers, which had lately arrived from Lynchburg.

Along the edge of a pine thicket, in rear of, and equidistant from McLean's and Blackburn's Fords, ready to support either position, I had also placed all of Bee's and Bartow's brigades that had arrived—namely, two companies of the Eleventh Mississippi, Lieutenant-Colonel Liddell; the Second Mississippi, Colonel Faulkner; and the Alabama, with the Seventh and Eighth Georgia regiments, (Colonel Gartrell and Lieutenant-Colonel Gardner,) in all



two thousand seven hundred and thirty-two bayonets.

Bonham's brigade, as before, held Mitchell's Ford, its right near Longstreet's left, its left extending in the direction of Cocke's right. It was organized as at the end of the 18th of July, with Jackson's brigade, as before said, as a support.

Cocke's brigade, increased by seven companies of the Eighth, Hunton's; three companies of the Forty-ninth, Smith's Virginia regiments; two companies of cavalry, and a battery under Rogers of four six-pounders, occupied the line in front and rear of Bull Run, extending from the direction of Bonham's left, and guarding Island, Ball's, and Lewis' Fords, to the right of Evans' demi-brigade, near the Stone Bridge, also under General Cocke's command.

The latter held the Stone Bridge, and its left covered a farm ford about one mile above the bridge.

Stuart's cavalry, some three hundred men of the army of the Shenandoah, guarded the level ground extending in rear from Bonham's left to Cocke's right.

Two companies of Radford's cavalry were held in reserve a short distance in rear of Mitchell's Ford, his left extending in the direction of Stuart's right.

Colonel Pendleton's reserve battery of eight pieces was temporarily placed in rear of Bonham's extreme left.

Major Walton's reserve battery of five guns was in position on McLean's farm, in a piece of woods in rear of Bee's right.

Hampton's legion of six companies of infantry, six hundred strong, having arrived that morning by the cars from Richmond, was subsequently, as soon as it arrived, ordered forward to a position in immediate vicinity of the Lewis House, as a support for any troops engaged in that quarter.

The effective force of all arms of the army of the Potomac on that eventful morning, including the garrison of Camp Pickens, did not exceed twenty-one thousand eight hundred and thirty-three, and twenty-nine guns.

The army of the Shenandoah, ready for action on the field, may be set at six thousand men and twenty guns. [That is, when the battle begun. Smith's brigade and Fisher's North Carolina came up later, and made a total of army of Shenandoah engaged of all arms, eight thousand three hundred and thirty-four. Hill's Virginia regiment, five hundred and fifty, also arrived, but was posted as reserve to right flank.]

The brigade of General Holmes mustered about one thousand two hundred and sixty-five bayonets, six guns, and a company of cavalry about ninety strong.

Informed at half-past five A. M., by Colonel Evans, that the enemy had deployed some twelve hundred men, [these were what Colonel Evans saw of General Schenck's brigade of General Tyler's division and two other heavy brigades, in all over nine thousand men and thirteen pieces of artillery—Carlisle's and Ayres' batteries. That is, nine hundred men and two six-pounders, confronted by nine thousand men and thirteen pieces of artillery, mostly rifled,] with several pieces of artillery in his immediate front, I at once ordered him, as also General Cocke, if attacked, to maintain their position to the last extremity.

In my opinion the most effective method of relieving that flank was by a rapid, determined attack, with my right wing and centre on the enemy's flank and rear at Centreville, with due precautions against the advance of his reserves from the direction of Washington. By such a movement I confidently expected to achieve a complete victory for my country by twelve o'clock M.

These new dispositions were submitted to General Johnston, who fully approved them, and the orders for their immediate execution were at once issued.

Brigadier-General Ewell was directed to begin the movement, to be followed and supported successively by Generals D. R. Jones, Longstreet, and Bonham respectively, supported by their several appointed reserves.

The cavalry, under Stuart and Radford, were to be held in hand, subject to future orders and ready for employment as might be required by the exigencies of the battle.

About half-past eight o'clock A. M., General Johnston and myself transferred our head-quarters to a central position about half a mile in the rear of Mitchell's Ford, whence we might watch the course of events.

Previously, as early as half-past five, the Federalists in front of Evans' position, Stone Bridge, had opened with a large thirty-pounder, Parrot rifle gun, and thirty minutes later with a moderate apparently tentative, fire from a battery of rifle pieces, directed first in front at Evans' and then in the direction of Cocke's position, but without drawing a return fire and discovery of our positions, chiefly because in that quarter we had nothing but eight six-pounder pieces, which could not reach the distant enemy.

As the Federalists had advanced with an extended line of skirmishers in front of Evans, that officer promptly threw forward the two flank companies of the Fourth South Carolina regiment, and one company of Wheat's Louisiana battalion, deployed as skirmishers, to cover his small front. An occasional scattering fire resulted, and thus the two armies in that quarter remained for more than an hour, while the main body of the enemy was march-



ing its dubious way through the "big forest" to take our forces in flank and rear.

By half-past eight A. M., Colonel Evans having become satisfied of the counterfeit character of the movement on his front, and persuaded of an attempt to turn his left flank, decided to change his position to meet the enemy, and for this purpose immediately put in motion to his left and rear six companies of Sloan's Fourth South Carolina regiment, Wheat's Louisiana battalions, five companies, and two six-pounders of Latham's battery, leaving four companies of Sloan's regiment under cover as the sole immediate defense of the Stone Bridge, but giving information to General Coker of his change of position and the reasons that impelled it.

Following a road leading by the Old Pittsylvania (Carter) mansion, Colonel Evans formed in line of battle some four hundred yards in rear—as he advanced—of that house, his guns to the front and in position, properly supported, to its immediate right. Finding, however, that the enemy did not appear on that road, which was a branch of one running by Sudley's Springs Ford to Brentsville and Dumfries, he turned abruptly to the left, and marching across the fields for three-quarters of a mile, about half-past nine A. M., took a position in line of battle: his left, Sloan's companies, resting on the main Brentsville road in a shallow ravine, the Louisiana battalion to the right, in advance some two hundred yards, a rectangular course of wood separating them—one piece of his artillery planted on an eminence some seven hundred yards to the rear of Wheat's battalion, and the other on a ridge near and in rear of Sloan's position, commanding a reach of the road just in front of the line of battle. In this order he awaited the coming of the masses of the enemy now drawing near.

In the meantime, about seven o'clock A. M., Jackson's brigade, with Imboden's, and five pieces of Walton's battery, had been sent to take up a position along Bull Run to guard the interval between Coker's right and Bonham's left, with orders to support either in case of need—the character and topographical features of the ground having been shown to General Jackson by D. R. Harris, of the Engineers, of his army corps.

So much of Bee's and Bartow's brigades, now united, as had arrived—some two thousand eight hundred muskets—had also been sent forward to the support of the position of the Stone Bridge.

The enemy beginning his *détour* from the turnpike, at a point nearly half way between Stone Bridge and Centreville, had pursued a tortuous, narrow trace of a rarely used road, through a dense wood, the greater part of his way, until near the Sudley road. A division under Colonel Hunter, of

the Federal regular army, of two strong brigades, was in the advance, followed immediately by another division under Colonel Heintzelman, of three brigades and seven companies of regular cavalry and twenty-four pieces of artillery—eighteen of which were rifle guns. This column, as it crossed Bull Run, numbered over sixteen thousand men of all arms, by their own accounts.

Burnside's brigade, which here, as at Fairfax Court House, led the advance, at about forty-five minutes past nine A. M., debouched from a wood in sight of Evans' position, some five hundred yards distant from Wheat's battalion.

He immediately threw forward his skirmishers in force, and they became engaged with Wheat's command and the six-pounder gun under Lieutenant Leftwich.

The Federalists at once advanced, as they report officially, the Second Rhode Island regiment volunteers, with its vaunted battery of six thirteen-pounder rifle guns. Sloan's companies were then brought into action, having been pushed forward through the woods. The enemy, soon galled and staggered by the fire, and pressed by the determined valor with which Wheat handled his battery, until he was desperately wounded, hastened up three other regiments of the brigade and two Dahlgren howitzers, making in all quite three thousand five hundred bayonets and eight pieces of artillery, opposed to less than eight hundred men and two six-pounder guns.

Despite these odds, this intrepid command of but eleven weak companies maintained its front to the enemy for quite an hour, and until General Bee came to their aid with his command. The heroic Bee, with a soldier's eye and recognition of the situation, had previously disposed his command with skill—Imboden's battery having been admirably placed between the two brigades, under shelter behind the undulations of a hill about one hundred and fifty yards north of the now famous Henry House, and very near where he subsequently fell mortally wounded, to the great misfortune of his country, but after deeds of deliberate and ever-memorable courage.

Meanwhile, the enemy had pushed forward a battalion of eight companies of regular infantry, and one of their best batteries of six pieces, (four rifled,) supported by four companies of marines, to increase the desperate odds against which Evans and his men had maintained their stand with an almost matchless tenacity.

General Bee, now finding Evans sorely pressed under the crushing weight of the masses of the enemy, at the call of Colonel Evans threw forward his whole force to his aid across a small stream—



Young's Branch and Valley—and engaged the Federalists with impetuosity; Imboden's battery at the time playing from his well-chosen position with brilliant effect with spherical-case, the enemy having first opened on him from a rifle battery, probably Griffin's, with elongated cylindrical shells, which flew a few feet over the heads of our men, and exploded in the crest of the hill immediately in the rear.

As Bee advanced under a severe fire he placed the Seventh and Eighth Georgia regiments, under the chivalrous Bartow, at about eleven A. M., in a wood of second-growth pines, to the right and front of and nearly perpendicular to Evans' line of battle; the Fourth Alabama to the left of them, along a fence connecting the position of the Georgia regiments with the rectangular copse in which Sloan's South Carolina companies were engaged, and into which he also threw the Second Mississippi. A fierce and destructive conflict now ensued; the fire was withering on both sides, while the enemy swept our short, thin lines with their numerous artillery, which, according to their official reports, at this time consisted of at least ten rifle guns and four howitzers. For an hour did these stout-hearted men of the blended commands of Bee, Evans and Bartow breast an unintermitting battle storm, animated, surely, by something more than the ordinary courage of even the bravest men under fire; it must have been indeed the inspiration of the cause, and consciousness of the great stake at issue which thus nerved and animated one and all to stand unawed and unshrinking in such extremity.

Two Federal brigades of Heintzelman's division were now brought into action, led by Rickett's superb light battery of six ten-pounder rifle guns, which, posted on an eminence to the right of the Sudley road, opened fire on Imboden's battery—about this time increased by two rifle pieces of the Washington artillery, under Lieutenant Richardson, and already the mark of two batteries which divided their fire with Imboden, and two guns, under Lieutenants Davidson and Leftwich, of Latham's battery, posted as before mentioned.

At this time, confronting the enemy, we had still but Evans' eleven companies and two guns—Bee's and Bartow's four regiments, the two companies of the Eleventh Mississippi, under Lieutenant-Colonel Liddell, and the six pieces under Imboden and Richardson. The enemy had two divisions of four strong brigades, including seventeen companies of regular infantry, cavalry and artillery, four companies of marines, and twenty pieces of artillery. [See official reports of Colonels Heintzelman, Porter, &c.] Against this odds, scarcely credible, our advance position was still for a while maintained, and the en-

emy's ranks constantly broken and shattered under the scorching fire of our men; but fresh regiments of the Federalists came upon the field—Sherman's and Keyes' brigades of Tyler's division—as is stated in their reports, numbering over six thousand bayonets, which had found a passage across the run about eight hundred yards above the Stone Bridge, threatened our right.

Heavy losses had now been sustained on our side, both in numbers and in the personal worth of the slain. The Georgia regiment had suffered heavily, being exposed, as it took and maintained its position, to a fire from the enemy, already posted within a hundred yards of their front and right, sheltered by fences and other cover. It was at this time that Lieutenant-Colonel Gardner was severely wounded, as also several other valuable officers; the Adjutant of the regiment, Lieutenant Branch, was killed, and the horse of the regretted Bartow was shot under him. The Fourth Alabama also suffered severely from the deadly fire of the thousands of muskets which they so dauntlessly fronted under the immediate leadership of Bee himself. Its brave Colonel, E. J. Jones, was dangerously wounded, and many gallant officers fell, slain or *hors de combat*.

Now, however, with the surging mass of over fourteen thousand Federal infantry pressing on their front, and under the incessant fire of at least twenty pieces of artillery, with the fresh brigades of Sherman and Keyes approaching—the latter already in musket range—our lines gave back, but under orders from General Bee.

The enemy, maintaining the fire, pressed their swelling masses onward as our shattered battalions retired; the slaughter for the moment was deplorable, and has filled many a Southern home with lifelong sorrow.

Under this inexorable stress the retreat continued until arrested by the energy and resolution of General Bee, supported by Bartow and Evans, just in the rear of the Robinson House, and Hampton's Legion, which had been already advanced, and was in position near it.

Imboden's battery, which had been handled with marked skill, but whose men were almost exhausted, and the two pieces of Walton's battery, under Lieutenant Richardson, being threatened by the enemy's infantry on the left and front, were also obliged to fall back. Imboden, leaving a disabled piece on the ground, retired until he met Jackson's brigade, while Richardson joined the main body of his battery near the Lewis House.

As our infantry retired from the extreme front, the two six-pounders of Latham's battery, before mentioned, fell back with excellent judgment to suitable positions in the rear, when an effective fire was



maintained upon the still advancing lines of the Federalists with damaging effect, until their ammunition was nearly exhausted, when they, too, were withdrawn in the near presence of the enemy, and rejoined their Captain.

From the point previously indicated, where General Johnston and myself had established our headquarters, we heard the continuous roll of musketry and the sustained din of the artillery, which announced the serious outbursts of the battle on our left flank, and we anxiously, but confidently, awaited similar sounds of conflict from our front at Centreville, resulting from the prescribed attack in that quarter by our right wing.

At half-past ten in the morning, however, this expectation was dissipated, from Brigadier-General Ewell informing me, to my profound disappointment, that my orders for his advance had miscarried, but that, in consequence of a communication from General D. R. Jones, he had just thrown his brigade across the stream at Union Mills. But, in my judgment, it was now too late for the effective execution of the contemplated movement, which must have required quite three hours for the troops to get into position for the attack; therefore, it became immediately necessary to depend on new combinations and other dispositions suited to the now pressing exigency. The movement of the right and centre, already begun by Jones and Longstreet, was at once countermanded with the sanction of General Johnston, and we arranged to meet the enemy on the field upon which he had chosen to give us battle. Under these circumstances our reserves not already in movement were immediately ordered up to support our left flank, namely, Holmes' two regiments and battery of artillery, under Captain Lindsey Walker, of six guns, and Early's brigade. Two regiments from Bonham's brigade, with Kemper's four six-pounders, were also called for, and, with the sanction of General Johnston, Generals Ewell, Jones, (D. R.) Longstreet and Bonham, were directed to make a demonstration to their several fronts to retain and engross the enemy's reserves and forces on their flank, and at and around Centreville. Previously, our respective chiefs of staff—Major Rhett and Colonel Jordan—had been left at my headquarters to hasten up and give directions to any troops that might arrive at Manassas.

These orders having been duly dispatched by staff officers, at 10.30 A. M., General Johnston and myself set out for the immediate field of action, which we reached in the rear of the Robinson and Widow Henry's houses, at about twelve M., and just as the commands of Bee, Bartow and Evans had taken shelter in a wooded ravine behind the former, stoutly held at the time by Hampton with his legion, which

had made a stand there after having previously been as far forward as the turnpike, where Lieutenant-Colonel Johnson, an officer of brilliant promise, was killed, and other severe losses were sustained.

Before our arrival upon the scene, General Jackson had moved forward with his brigade of five Virginia regiments from his position in reserve, and had judiciously taken post below the brim of the plateau, nearly east of the Henry house, and to the left of the ravine and woods occupied by the mingled remnants of Bee's, Bartow's and Evans' commands, with Imboden's battery, and two of Stanard's pieces placed so as to play upon the oncoming enemy, supported in the immediate rear by Colonel J. L. Preston's and Lieutenant-Colonel Echoll's regiments, on the right by Harper's and on the left by Allen's and Cumming's regiments.

As soon as General Johnston and myself reached the field, we were occupied with the reorganization of the heroic troops, whose previous stand, with scarce a parallel, has nothing more valiant in all the pages of history, and whose losses fitly tell why, at length, their lines had lost their cohesion. It was now that General Johnston impressively and gallantly charged to the front with the colors of the Fourth Alabama regiment by his side, all the field-officers of the regiment having been previously disabled. Shortly afterward I placed S. R. Gist, Adjutant and Inspector-General of South Carolina, a volunteer Aide-de-camp of General Bee, in command of this regiment, and who led it again to the front as became its previous behavior, and remained with it for the rest of the day.

As soon as we had thus rallied and disposed our forces, I urged General Johnston to leave the immediate conduct of the field to me, while he, repairing to Portico—the Lewis house—should urge reinforcements forward. At first he was unwilling, but reminded that one of us must do so, and that properly it was his place, he reluctantly, but fortunately, complied; fortunately, because from that position, by his energy and sagacity, his keen perception and anticipation of my needs, he so directed the reserves as to insure the success of the day.

As General Johnston departed for Portico, Colonel Bartow reported to me with the remains of the Seventh Georgia volunteers, (Gartrell's,) which I ordered him to post on the left of Jackson's line, in the edge of the belt of pines bordering the southeastern rim of the plateau, on which the battle was now to rage so long and so fiercely.

Colonel Wm. Smith's battalion of the Forty-ninth Virginia volunteers having also come up by my orders, I placed it on the left of Gartrell's as my extreme left at the time. Repairing then to the right, I placed Hampton's legion, which had suffered



greatly, on that flank somewhat to the rear of Harper's regiment, and also the seven companies of the Eighth (Hunton's) Virginia regiment, which, detached from Cocke's brigade by my orders and those of General Johnston, had opportunely reached the ground. These, with Harper's regiment, constituted a reserve, to protect our right flank from an advance of the enemy from the quarter of the Stone Bridge, and served as a support for the line of battle, which was formed on the right by Bee's and Evans' commands, in the centre by four regiments of Jackson's brigade, with Imboden's four six-pounders, Walton's five guns, (two rifled,) two guns (one piece rifled) of Stanard's and two six-pounders of Rogers' batteries, the latter under Lieutenant Heaton; and on the left by Gartrell's reduced ranks and Colonel Smith's battalion, subsequently reenforced by Faulkner's Second Mississippi regiment, and by another regiment of the army of the Shenandoah, just arrived upon the field, the Sixth (Fisher's) North Carolina. Confronting the enemy at this time my force numbered, at most, not more than six thousand five hundred infantry and artillerists, with but thirteen pieces of artillery, and two companies (Carter's and Hoge's) of Stuart's cavalry.

The enemy's force now bearing hotly and confidently down on our position, regiment after regiment of the best equipped men that ever took the field—according to their own official history of the day—was formed of Colonels Hunter's and Heintzelman's divisions, Colonels Sherman's and Keyes' brigades of Tyler's division, and of the formidable batteries of Rickett, Griffin, and Arnold regulars, and Second Rhode Island, and two Dahlgren howitzers—a force of over twenty thousand infantry, seven companies of regular cavalry, and twenty-four pieces of improved artillery. At the same time perilous, heavy reserves of infantry and artillery hung in the distance around the Stone Bridge, Mitchell's, Blackburn's and Union Mills fords, visibly ready to fall upon us at any moment; and I was also assured of the existence of other heavy corps at and around Centreville and elsewhere, within convenient supporting distances.

Fully conscious of this portentous disparity of force, as I posted the lines for the encounter, I sought to infuse into the hearts of my officers and men the confidence and determined spirit of resistance to this wicked invasion of the homes of a free people, which I felt. I informed them that reenforcements would rapidly come to their support, and we must at all hazards hold our posts until reenforced. I reminded them that we fought for our homes, our firesides, and for the independence of our country. I urged them to the resolution of victory or death on that field. These sentiments were loudly, eagerly

cheered, wheresoever proclaimed, and I then felt reassured of the unconquerable spirit of that army, which would enable us to wrench victory from the host then threatening us with destruction.

O my country! I would readily have sacrificed my life, and those of all the brave men around me, to save your honor and to maintain your independence from the degrading yoke which those ruthless invaders had come to impose and render perpetual: and the day's issue has assured me that such emotions must also have animated all under my command.

In the mean time the enemy had seized upon the plateau on which the Robinson and Henry houses are situated—the position first occupied in the morning by General Bee, before advancing to the support of Evans. Rickett's battery of six rifled guns—the pride of the Federalists, the object of their unstinted expenditure in outfit—and the equally powerful regular light battery of Griffin were brought forward and placed in immediate action, after having, conjointly with the batteries already mentioned, played from former positions with destructive effect upon our forward battalions.

The topographical features of the plateau, now become the stage of the contending armies, must be described in outline.

A glance at the map will show that it is enclosed on three sides by small watercourses, which empty into Bull Run within a few yards of each other, half a mile to the south of the Stone Bridge. Rising to an elevation of quite one hundred feet above the level of Bull Run at the bridge, it falls off on three sides to the level of the enclosing streams in gentle slopes, but which are furrowed by ravines of irregular direction and length, and studded with clumps and patches of young pines and oaks. The general direction of the crest of the plateau is oblique to the course of Bull Run in that quarter, and on the Brentsville and turnpike roads which intersect each other at right angles. Completely surrounding the two houses before mentioned, are small open fields of irregular outline, and exceeding one hundred and fifty acres in extent. The houses occupied at the time, the one by widow Henry, and the other by the free negro Robinson, are small wooden buildings, densely embowered in trees and environed by a double row of fences on two sides. Around the eastern and southern brow of the plateau, an almost unbroken fringe of second-growth pines gave excellent shelter for our marksmen, who availed themselves of it with the most satisfactory skill. To the west, adjoining the fields, a broad belt of oaks extends directly across the crest on both sides of the Sudley road, in which, during the battle, regiments of both armies met and contended for the mastery.



From the open ground of this plateau, the view embraces a wide expanse of woods, and gently undulating open country of broad grass and grain fields in all directions, including the scene of Evans' and Bee's recent encounter with the enemy—some twelve hundred yards to the northward.

In reply to the play of the enemy's batteries, our own artillery had not been idle or unskillful. The ground occupied by our guns, on a level with that held by the batteries of the enemy, was an open space of limited extent, behind a low undulation, just at the eastern verge of the plateau, some five hundred or six hundred yards from the Henry house. Here, as before said, some thirteen pieces, mostly six-pounders, were maintained in action—the several batteries of Imboden, Stanard, Pendleton, (Rockbridge Artillery,) and Alburis', of the army of the Shenandoah, and five guns of Walton's and Heaton's section of Rogers' battery of the army of the Potomac, alternating to some extent with each other, and taking part as needed; all from the outset displaying that marvelous capacity of our people as artillerists which has made them, it would appear, at once the terror and the admiration of the enemy.

As was soon apparent, the Federalists had suffered severely from our artillery and from the fire of our musketry on the right, and especially from the left flank, placed under cover, within whose galling range they had been advanced. And we are told in their official reports how regiment after regiment, thrown forward to dislodge us, was broken, never to recover its entire organization on that field.

In the mean time, also, two companies of Stuart's cavalry (Carter's and Hoge's) made a dashing charge down the Brentsville and Sudley road upon the Fire Zouaves—then the enemy's right on the plateau—which added to their disorder, wrought by our musketry on that flank. But still the press of the enemy was heavy in that quarter of the field, as fresh troops were thrown forward there to outflank us, and some three guns of a battery, in an attempt to obtain a position apparently to enfilade our batteries, were thrown so close to the Thirty-third regiment, Jackson's brigade, that that regiment, springing forward, seized them, but with severe loss, and was subsequently driven back by an overpowering force of Federal musketry.

Now, full two o'clock P. M., I gave the order for the right of my line, except my reserves, to advance to recover the plateau. It was done with uncommon resolution and vigor, and at the same time Jackson's brigade pierced the enemy's center with the determination of veterans and the spirit of men who fight for a sacred cause; but it suffered seriously. With equal spirit the other parts of the line

made the onset, and the Federal lines were broken and swept back, at all points, from the open ground of the plateau. Rallying soon, however, as they were strongly reenforced by fresh regiments, the Federalists returned, and by weight of numbers pressed our lines back, recovered their ground and guns, and renewed the offensive.

By this time, between half-past two and three o'clock P. M., our reenforcements pushed forward, and, directed by General Johnston to the required quarter, were at hand just as I had ordered forward, to a second effort, for the recovery of the disputed plateau, the whole line, including my reserves, which, at this crisis of the battle, I felt called upon to lead in person. This attack was general, and was shared in by every regiment then in the field, including the Sixth (Fisher's) North Carolina regiment, which had just come up and taken position on the immediate left of the Forty-ninth Virginia regiment. The whole open ground was again swept clear of the enemy, and the plateau around the Henry and Robinson houses remained finally in our possession with the greater part of the Dickett and Griffin batteries and a flag of the first Michigan regiment, captured by the Twenty-seventh Virginia regiment (Lieutenant Colonel Echolls) of Jackson's brigade. This part of the day was rich with deeds of individual coolness and dauntless conduct, as well as well-directed embodied resolution and bravery, but fraught with the loss to the service of the country of lives of inestimable preciousness at this juncture. The brave Bee was mortally wounded at the head of the Fourth Alabama and some Mississippians, in an open field near the Henry house, and a few yards distant the promising life of Bartow, while leading the Seventh Georgia regiment, was quenched in blood.

Colonel F. J. Thomas, Acting Chief of Ordnance, of General Johnston's staff, after gallant conduct and most efficient service, was also slain. Colonel Fisher, Sixth North Carolina, likewise fell, after soldierly behavior, at the head of his regiment, with ranks greatly thinned.

Withers' Eighteenth regiment of Cocke's brigade had come up in time to follow this charge, and, in conjunction with Hampton's Legion, captured several rifled pieces which may have fallen previously in possession of some of our troops; but if so, had been recovered by the enemy. These pieces were immediately turned and effectively served on distant masses of the enemy by the hands of some of our officers.

While the enemy had thus been driven back on our right entirely across the turnpike, and beyond Young's branch on our left, the woods yet swarmed with them, when our reenforcements op-



portunately arrived in quick succession, and took position in that portion of the field. Kershaw's Second and Cash's Eighth South Carolina regiments, which had arrived soon after Withers', were led through the oaks just east of the Sudley-Brentsville road, brushing some of the enemy before them, and, taking an advantageous position along the west of that road, opened with much skill and effect on bodies of the enemy that had been rallied under cover of a strong Federal brigade posted on a plateau in the southwest angle, formed by intersection of the turnpike with the Sudley-Brentsville road. Among the troops thus engaged were the Federal regular infantry.

At the same time Kemper's battery, passing northward by the S. B. road, took position on the open space—under orders of Colonel Kershaw—near where an enemy's battery had been captured, and was opened with effective results upon the Federal right, then the mark also of Kershaw's and Cash's regiments.

Preston's Twenty-eighth regiment, of Cocke's brigade, had by that time entered the same body of oaks, and encountered some Michigan troops, capturing their brigade commander, Colonel Wilcox.

Another important accession to our forces had also occurred about the same time, at three o'clock p. m. Brigadier-General E. K. Smith, with some one thousand and seven hundred infantry of Elzey's brigade, of the army of the Shenandoah, and Beckham's battery, came up on the field from Camp Pickens, Manassas, where they had arrived by railroad at noon. Directed in person by General Johnston to the left, then so much endangered, on reaching a position in rear of the oak woods, south of the Henry house, and immediately east of the Sudley road, General Smith was disabled by a severe wound, and his valuable services were lost at that critical juncture. But the command devolved upon a meritorious officer of experience, Colonel Elzey, who led his infantry at once somewhat further to the left, in the direction of the Chinn house, across the road, through the oaks skirting the west side of the road, and around which he sent the battery under Lieutenant Beckham. This officer took up a most favorable position near that house, whence, with a clear view of the Federal right and centre, filling the open fields to the west of the Brentsville-Sudley road, and gently sloping southward, he opened fire with his battery upon them with deadly and damaging effect.

Colonel Early, who, by some mischance, did not receive orders until two o'clock, which had been sent him at noon, came on the ground immediately after Elzey, with Kemper's Seventh Virginia, Hays' Seventh Louisiana, and Barksdale's Thirteenth Mis-

issippi regiments. This brigade, by the personal direction of General Johnston, was marched by the Holkham house, across the fields to the left, entirely around the woods through which Elzey had passed, and under a severe fire, into a position in line of battle near Chinn's house, outflanking the enemy's right.

At this time, about half-past three p. m., the enemy, driven back on their left and centre, and brushed from the woods bordering the Sudley road, south and west of the Henry house, had formed a line of battle of truly formidable proportions of crescent outline, reaching on their left from the vicinity of Pittsylvania, (the old Carter mansion,) by Matthew's and in rear of Dugan's, across the turnpike near to Chinn's house. The woods and fields were filled with their masses of infantry and their carefully preserved cavalry. It was a truly magnificent, though redoubtable spectacle, as they threw forward in fine style, on the broad, gentle slopes of the ridge occupied by their main lines, a cloud of skirmishers, preparatory for another attack.

But, as Early formed his line, and Beckham's pieces playing upon the right of the enemy, Elzey's brigade, Gibbon's Tenth Virginia, Lieutenant-Colonel Stewart's First Maryland, and Vaughn's Third Tennessee regiments, and Cash's Eighth and Kershaw's Second South Carolina, Withers' Eighteenth and Preston's Twenty-eighth Virginia, advanced in an irregular line almost simultaneously, with great spirit from their several positions upon the front and flanks of the enemy in their quarter of the field. At the same time, too, Early resolutely assailed their right flank and rear. Under the combined attack the enemy was soon forced, first over the narrow plateau in the southern angle made by the two roads so often mentioned, into a patch of woods on its western slope, thence back over Young's branch and the turnpike into the fields of the Dugan farm and rearward, in extreme disorder, in all available directions, towards Bull Run. The rout had now become general and complete.

About the time that Elzey and Early were entering into action, a column of the enemy, Keyes' brigade, of Tyler's division, made its way across the turnpike between Bull Run and the Robinson house, under cover of a wood and brow of the ridges, apparently to turn my right, but was easily repulsed by a few shots from Latham's battery, now united and placed in position by Captain D. B. Harris, of the Virginia engineers, whose services during the day became his character as an able, cool and skillful officer, and from Alburtis' battery, opportunely ordered by General Jackson to a position to the right of Latham, on a hill commanding the line of approach of the enemy, and supported by portions



of regiments collected together by the staff officers of General Johnston and myself.

Early's brigade, meanwhile, joined by the Nineteenth Virginia regiment, Lieutenant-Colonel Strange, of Coker's brigade, pursued the now pame-stricken, fugitive enemy. Stuart, with his cavalry, and Beckham had also taken up the pursuit along the road by which the enemy had come upon the field that morning; but, soon encumbered by prisoners who thronged his way, the former was unable to attack the mass of the fast-fleeing, frantic Federalists. Withers', R. J. Preston's, Cash's, and Kershaw's regiments, Hampton's Legion and Kemper's battery also pursued along the Warrenton road by the Stone Bridge, the enemy having opportunely opened a way for them through the heavy abatis which my troops had made on the west side of the bridge several days before. *But this pursuit was soon recalled, in consequence of a false report which unfortunately reached us that the enemy's reserves, known to be fresh and of considerable strength, were threatening the position of Union Mills ford.*

Colonel Radford, with six companies Virginia cavalry, was also ordered by General Johnston to cross Bull Run and attack the enemy from the direction of Lewis' house, conducted by one of my aids, Colonel Chisholm, by the Lewis ford, to the immediate vicinity of the suspension bridge: he charged a battery with great gallantry, took Colonel Corcoran of the Sixty-ninth New York volunteers a prisoner, and captured the Federal colors of that regiment, as well as a number of the enemy. He lost, however, a prominent officer of his regiment, Captain Winston Radford.

Lieutenant-Colonel Munford also led some companies of cavalry in hot pursuit, and rendered material service in the capture of prisoners, and of cannon, horses, ammunition, &c., abandoned by the enemy in their flight.

Captain Lay's company of the Powhatan troops and Utterback's Rangers, Virginia volunteers, attached to my person, did material service, under Captain Lay, in rallying troops broken for the time by the onset of the enemy's masses.

During the period of the momentous events fraught with the weal of our country, which were passing on the blood-stained plateau along the Sudley and Warrenton roads, other portions of the line of Bull Run had not been void of action of moment, and of influence upon the general result.

While Colonel Evans and his sturdy band were holding at bay the Federal advance beyond the turnpike, the enemy made repeated demonstrations with artillery and infantry upon the line of Coker's brigade, with the serious intention of forcing the position as General Schenck admits in his report.

They were driven back with severe loss by Latham's (a section) and Rogers' four six-pounders, and were so impressed with the strength of that line as to be held in check and inactive even after it had been stripped of all its troops but one company of the Nineteenth Virginia regiment under Captain Duke, a meritorious officer. And it is worthy of notice that in this encounter of our six-pounder guns, handled by our volunteer artillerymen, they had worsted such a notorious adversary as the Ayres'—formerly Sherman's—battery, which quit the contest under the illusion that it had weightier metal than its own to contend with.

The centre brigades—Bonham's and Longstreet's—of the line of Bull Run, if not closely engaged, were nevertheless exposed for much of the day to an annoying, almost incessant fire of artillery of long range; but, by a steady, veteran-like maintenance of their positions, they held virtually paralyzed all day, two strong brigades of the enemy, with their batteries (four) of rifle guns.

As before said, two regiments of Bonham's brigade, Second and Eighth South Carolina volunteers, and Kemper's battery took a distinguished part in the battle. The remainder, Third, (Williams') Seventh (Bacon's) South Carolina volunteers; Eleventh (Kirkland's) North Carolina regiment; six companies Eighth Louisiana volunteers; Shield's battery, and one section of Walton's battery, under Lieutenant Garnett, whether in holding their post or taking up the pursuit, officers and men discharged their duty with credit and promise.

Longstreet's brigade, pursuant to orders prescribing his part of the operations of the centre and right wings, was thrown across Bull Run early in the morning, and, under a severe fire of artillery, was skillfully disposed for the assault of the enemy's batteries in that quarter, but were withdrawn subsequently, in consequence of the change of plan already mentioned and explained. The troops of this brigade were: First, Major Skinner; Eleventh, Garland's; Twenty-fourth, Lieutenant-Colonel Hairston's; Seventeenth, Corse's Virginia regiments; Fifth North Carolina, Lieutenant-Colonel Jones, and Whitehead's company of Virginia cavalry. Throughout the day these troops evinced the most soldierly spirit.

After the rout, having been ordered by General Johnston in the direction of Centreville in pursuit, these brigades advanced near to that place, when, night and darkness intervening, General Bonham thought it proper to direct his own brigade and that of General Longstreet back to Bull Run.

General D. B. Jones early in the day crossed Bull Run with his brigade, pursuant to orders indicating his part in the projected attack by our right wing



and centre on the enemy at Centreville, took up a position on the Union Mills and Centreville road, more than a mile in advance of the Run. Ordered back in consequence of miscarriage of the orders to General Ewell, the retrograde movement was necessarily made under a sharp fire of artillery.

At noon this brigade, in obedience to new instructions, was again thrown across Bull Run to make demonstrations. Unsupported by other troops, the advance was gallantly made until within musket range of the enemy's force—Colonel Davis' brigade in position near Rocky Run and under the concentrated fire of their artillery. In this affair the Fifth, Jenkins' South Carolina, and Captain Fontaine's company of the Eighteenth Mississippi regiment, are mentioned by General Jones as having shown conspicuous gallantry, coolness, and discipline under a combined fire of infantry and artillery. Not only did the return fire of the brigade drive to cover the enemy's infantry, but the movement unquestionably spread through the enemy's ranks a sense of insecurity and danger from an attack by that route on their rear at Centreville, which served to augment the extraordinary panic which we know disbanded the entire Federal army for the time. This is evident from the fact that Colonel Davies, the immediate adversary's commander, in his official report, was induced to magnify one small company of our cavalry which accompanied the brigade into a force of two thousand men; and Colonel Miles, the commander of the Federal reserves at Centreville, says the movement "caused painful apprehensions for the left wing" of their army.

General Ewell, occupying for the time the right of the lines of Bull Run at Union Mills ford, after the miscarriage of my orders for his advance upon Centreville, in the afternoon was ordered by General Johnston to bring up his brigade into battle, then raging on the left flank. Promptly executed as this movement was, the brigade after a severe march reached the field too late to share the glories, as they had the labors, of the day. As the important position at the Union Mills had been left with but a slender guard, General Ewell was at once ordered to retrace his steps and resume his position to prevent the possibility of its seizure by any force of the enemy in that quarter.

Brigadier-General Holmes, left with his brigade as a support to the same position in the original plan of battle, had also been called to the left, whither he marched with the utmost speed, but not in time to join actively in the battle.

Walker's rifle guns of the brigade, however, came up in time to be fired with precision and decided execution at the retreating enemy, and Scott's cav-

alry, joining in the pursuit, assisted in the capture of prisoners of war and munitions.

This victory, the details of which I have thus sought to chronicle as fully as were fitting an official report, it remains to record, was dearly won by the death of many officers and men of inestimable value belonging to all grades of our society.

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In connection with the unfortunate casualties of the day—that is, the miscarriage of the orders sent by courier to Generals Holmes and Ewell to attack the enemy in flank and reverse at Centreville, through which the triumph of our arms was prevented from being still more decisive—I regard it in place to say, a divisional organization, with officers in command of divisions, with appropriate ranks as in European services, would greatly reduce the risk of such mishaps, and would advantageously simplify the communications of a General in command of a field with his troops.

While glorious for our people and of crushing effect upon the *morale* of our hitherto confident and overweening adversary, as were the events of the battle of Manassas, the field was only won by stout fighting, and, as before stated, with much loss, as is precisely exhibited in the papers herewith marked F, G, and H, and being lists of the killed and wounded. The killed outright numbered two hundred and sixty-nine, the wounded one thousand four hundred and thirty-eight—making an aggregate of one thousand eight hundred and fifty-two.

The actual loss of the enemy will never be known; it may now only be conjectured. Their abandoned dead, as they were buried by our people where they fell, unfortunately were not enumerated; but many parts of the field were thick with their corpses, as but few battle-fields have ever been. The official reports of the enemy are studiously silent on this point, but still afford us data for an approximate estimate. Left almost in the dark in respect to the losses of Hunter's and Heintzelman's divisions—first, longest and most hotly engaged—we are informed that Sherman's brigade—Tyler's division—suffered in killed, wounded, and missing, six hundred and nine—that is, about eighteen per cent. of the brigade. A regiment of Franklin's brigade—Gorman's—lost twenty-one per cent., Griffin's (battery) loss was thirty per cent., and that of Keyes' brigade, which was so handled by its commander as to be exposed to only occasional volleys from our troops, was at least ten per cent. To these facts, and the repeated references in the report of the more reticent commanders, to the "murderous" fire to



which they were habitually exposed—the “pistol range” volleys and galling musketry of which they speak, as scourging their ranks, and we are warranted in placing the entire loss of the Federalists at over forty-five hundred in killed, wounded, and prisoners. To this may be legitimately added, as a casualty of the battle, the thousands of fugitives from the field who have never rejoined their regiments, and who are as much lost to the enemy’s service as if slain or disabled by wounds. These may not be included under the head of “missing,” because in every instance of such report we took as many prisoners of those brigades or regiments as are reported “missing.”

A list appended exhibits some fourteen hundred and sixty of their wounded and others who fell into our hands, and were sent to Richmond. Some were sent to other points, so that the number of prisoners, including wounded who did not die, may be set down at not less than sixteen hundred. Besides these, a considerable number who could not be removed from the field, died at several farm houses and field-hospitals within ten days following the battle.

To serve the future historian of this war, I will note the fact that *among the captured Federalists are officers and men of forty-seven regiments of volunteers, besides from some nine different regiments of regular troops, detachments of which were engaged.* From their official reports we learn of a regiment of volunteers engaged, six regiments of Miles’ division, and the five regiments of Runyon’s brigade, from which we have neither sound nor wounded prisoners. Making all allowances for mistakes, we are warranted in saying that the Federal army consisted of at least fifty-five regiments of volunteers, eight companies of regular infantry, four of marines, nine of regular cavalry, and twelve batteries, one hundred and nineteen guns. These regiments, at one time, as will appear from a published list appended, marked “K,” numbered in the aggregate, fifty-four thousand one hundred and forty, and average nine hundred and sixty-four each; from an order of the enemy’s commander, however, dated July 13th, we learn that one hundred men from each regiment were ordered to remain in charge of respective camps. Some allowance must further be made for the sick and details, which would reduce the average to eight hundred—adding the regular cavalry, infantry, and artillery present, an estimate of their force may be made.

A paper appended, marked “L,” exhibits, in part, the ordnance and supplies captured, including some twenty-eight field pieces of the best character of arm, with over one hundred rounds of ammunition for each gun, thirty-seven caissons, six forges, four battery wagons, sixty-four artillery horses, completely

equipped, five hundred thousand rounds of small arms’ ammunition, four thousand five hundred sets of accoutrements, over five hundred muskets, some nine regimental and garrison flags, with a large number of pistols, knapsacks, swords, canteens, blankets, a large store of axes and intrenching tools, wagons, ambulances, horses, camp and garrison equipage, hospital stores, and some subsistence.

Added to these results may rightly be noticed here that by this battle an invading army superbly equipped, within twenty miles of their base of operations, has been converted into one virtually besieged, and exclusively occupied for months in the construction of a stupendous series of fortifications for the protection of its own capital.

I beg to call attention to the reports of the several subordinate commanders for reference to the signal parts played by individuals of their respective commands. Contradictory statements, found in these reports, should not excite surprise, when we remember how difficult, if not impossible, it is to reconcile the narrations of bystanders, or participants in even the most inconsiderable affair, much less the shifting, thrilling scenes of a battle-field.

Accompanying are maps showing the position of the armies on the morning of the 21st July, and of three several stages of the battle; also, of the line of Ball Run north of Blackburn’s Ford. These maps, from actual surveys made by Captain D. B. Harrison, assisted by Mr. John Grant, were drawn by the latter with a rare delicacy worthy of high commendation.

In conclusion it is proper, and doubtless expected, that through this report my countrymen should be made acquainted with some of the sufficient causes that prevented the advance of our forces, and prolonged vigorous pursuit of the enemy to and beyond the Potomac. The War Department has been fully advised long since of all of those causes, some of which only are proper to be here communicated. An army which had fought like ours on that day against uncommon odds, under a July sun, most of the time without water and without food, except a hastily snatched meal at dawn, was not in condition for the toil of an eager, effective pursuit of an enemy immediately after the battle.

On the following day an unusually heavy and unintermitting fall of rain intervened to obstruct our advance with reasonable prospect of fruitful results. Added to this, the want of a cavalry force of sufficient numbers, made an efficient pursuit a military impossibility. Your obedient servant,

G. T. BEAUREGARD, General Commanding.

To General S. Cooper, Adjutant and Inspector-General, Richmond, Va.

R. H. CHILTON, Adjutant.



## THE BATTLE OF BULL RUN—CAUSE OF ITS DISASTER.

Extracts from the Speech of United States Senator Chandler, July 16th, 1862.

2. The second cause of this disaster was the failure to attack on Friday before the arrival of the enemy's reinforcements, instead of on Sunday, after they had arrived. Why was not this done? It is averred that the fault was in the Quarter-master's Department, in not furnishing transportation at the proper time and place.

General Heintzelman says :

"The delay at Centreville, I suppose, was principally waiting for provisions, and for information of the position of the enemy.

"The day after we left Alexandria the provision train was to start. The wagons had not yet been collected, as I understood, and the consequence was that they did not start the next day, but the day after."

General Franklin states, in relation to the delay of the army at Centreville from Thursday to Sunday :

"My impression is that it was on account of the non-arrival of the supplies for the army until some time on Saturday."

General McDowell states that he was forced to leave to those in the city the duty of forwarding provisions to him, but there was delay in doing so.

3. The delay of the whole army for three hours on Sunday morning in consequence of the delay of Keyes' brigade, in Tyler's division, in getting into the assigned position. The enemy was defeated at two o'clock, and but for the timely arrival of a portion of Johnston's force, their rout would have been complete. The three hours lost in the early morning could not be regained. The men were fatigued and over-worked in the heat, and the precious moment for a crushing blow passed. General McDowell says on this point :

"Tyler was to move at half-past two o'clock A. M., and Hunter was to move half an hour earlier so that he might close up on Tyler's division. Heintzelman was to move at half-past two o'clock A. M., so as to fall in the rear of Hunter's division. Tyler was expected to get over the ground between the encampment of his advanced brigade, and where the road turned off to the right, at the blacksmith's shop, in time to offer no obstructions to the road to be used in common by all the divisions.

"I was sick during the night and morning, and did not leave my head-quarters—a little over a mile, perhaps a mile and a quarter, east of Centreville—until I thought all the divisions were fully in motion, so as to give myself as much rest as possible. When I had got beyond Centreville about a mile, I passed the troops lying down and sitting down on the way-side. Upon asking why they did not move forward, the reply came to me that the road was blocked up. I saw some men coming from the left of the road through a cornfield into the road. When I asked to what regiment they belonged, they said the Second New York, which formed a part of Schenck's brigade (Tyler's division.) I went forward, urging the troops to move on, un-

til I got to the blacksmith's shop, where the road turned off to Sudley's Springs. I was making every effort, personally and by my aids, to have the road cleared, in order that Hunter's and Heintzelman's divisions might take up their march to the right, by way of Sudley's Springs, to carry out the plan of battle."

In reply to the question, "Whose division blocked up the road?" General McDowell says :

"The First division; General Tyler's division. Major—now General—Barnard, who was the Chief of Engineers on my staff, in his report to me, dated July 29, 1861, says as follows :

"'You are aware of the unexpected delay. The two leading brigades of Tyler's did not clear the road for Hunter to this point (blacksmith's shop), where the road turned to the right, until half-past five.'

"That was three hours after the time fixed to start.

"Colonel Heintzelman—now General Heintzelman—in his report to me of July 31, states as follows :

"'At Centreville we found the road filled with the troops, and were detained three hours to allow the divisions of Generals Tyler and Hunter to pass. I followed them with my division, immediately in rear of the latter.'"

General Heintzelman says :

"The next morning (Sunday), precisely at the hour fixed, I left. The head of the column got to Centreville, and found the road obstructed with troops. General Tyler's division had not passed yet. I waited three hours for Tyler's and Hunter's divisions to pass "

General Andrew Porter, who succeeded to the command of General Hunter's division when he was wounded, says :

"Our orders were to get under way at two or half-past two in the morning. We got into the road, and were delayed a great while there. We were formed on the road in front of my camp. I had the reserve brigade in the rear. After some delay we then moved on at some distance, and halted again. And we kept pottering along, pottering along in that way, instead of being fairly on the road. It was intended that we should turn their position at daylight, as we could have done very easily but for the delay."

4. The advancing of our batteries one thousand yards without adequate support, and the unfortunate mistaking of a rebel regiment for the batteries' support, was the fourth cause of that disaster. If these guns had not been captured and turned upon our own troops, the strong probabilities are, that we should at least have held the field, and that no panic would have ensued.

Captain Griffin, of Griffin's battery, who had been placed in this advanced position, says :

"After I had been there about five minutes, a regiment of Confederates got over a fence on my front, and some officer—I took it to be the Colonel—stepped out in front of the regiment, between it and my battery, and commenced making a speech to them. I gave the command to one of my officers to fire upon them. He loaded the cannon with canister, and was just ready to fire on them when Major Barry rode up to me and said, 'Captain, don't fire there! those are your battery support.' I said, 'They are Confederates; as certain as the world, they are Confederates.' He replied, 'I know they are your battery support.' I sprang to my pieces, and told my officer not to fire there. He threw down the canister, and commenced firing again in



the former direction. After the officer who had been talking to the regiment had got through, he faced them to the left and marched them about fifty yards to the woods, then faced them to the right and marched them about forty yards towards us, and then opened fire upon us, and that was the last of us.

"Before this occurred, I started to lumber up my pieces, so thoroughly convinced was I that they were the Confederates. But, as the chief of artillery told me that they were my battery support, I was afraid to fire upon them. Major Barry said, 'I know it is the battery support; it is the regiment taken there by Colonel ———.' 'Very well,' said I, and gave the order to fire in another direction with the battery, but I never delivered the fire—for we were all cut down."

Colonel Averill says:

"In going down the hill, after the general's order, I saw an officer galloping along in front of me. I recognized Major Barry, and cried out, 'Hullo! Barry—is that you?' He said, 'Yes.' I said, 'Where is Griffin?' He said, 'I am afraid he is killed.' I said, 'That battery is lost. I am afraid we are gone up,' or some remark to that effect. Barry then said, 'I am as blame for the loss of that battery. I put Griffin there myself.'"

# SIEGEL'S RETREAT AT CARTHAGE.

Siegel's retreat at Carthage from before the combined forces of Parsons, Rains, Slack and Jackson was a most masterly affair. That with an army of twelve hundred and but a mere handful of cavalry he should have retreated successfully before an army of five thousand—nearly one third of which was cavalry—is evidence of high military capacity. The positions of the forces and the incidents of the all-day fighting retreat merit this further notice.

This Diagram represents the respective positions of the contending forces when the battle began. The stars represent the cavalry, dots the infantry, daggers the artillery and parallels the wagons:



The force of the rebels under Generals Rains and

Parsons occupied a high ridge in the prairie, about nine miles from Carthage, their cavalry extending along the rear and on the flank, their artillery of one twenty-four-pounder in the centre, supported by two six-pounders on each side, as represented. The position was a well chosen and strong one.

Colonel Siegel displayed his force of about one thousand two hundred men to the very best advantage, four pieces of artillery in the centre, and two pieces at the extreme of each flank, the infantry stationed in columns on the right and left, and in the rear. In this condition the fight began, and continued for about three hours, when the rebels' artillery, having been dismounted, and their centre broken, they commenced flank movements with their cavalry, threatening an attack in the rear, and the capture of Colonel Siegel's baggage train three miles behind. The Colonel sent back one piece of artillery and a detachment of infantry to guard a ferry, and then commenced a retrograde movement with his entire command at the same time dispatching an order for the advance of the baggage wagons. In this movement he preserved the order of his columns until the baggage train was reached, when he immediately made the following admirable disposition of his forces, as seen by this Diagram:

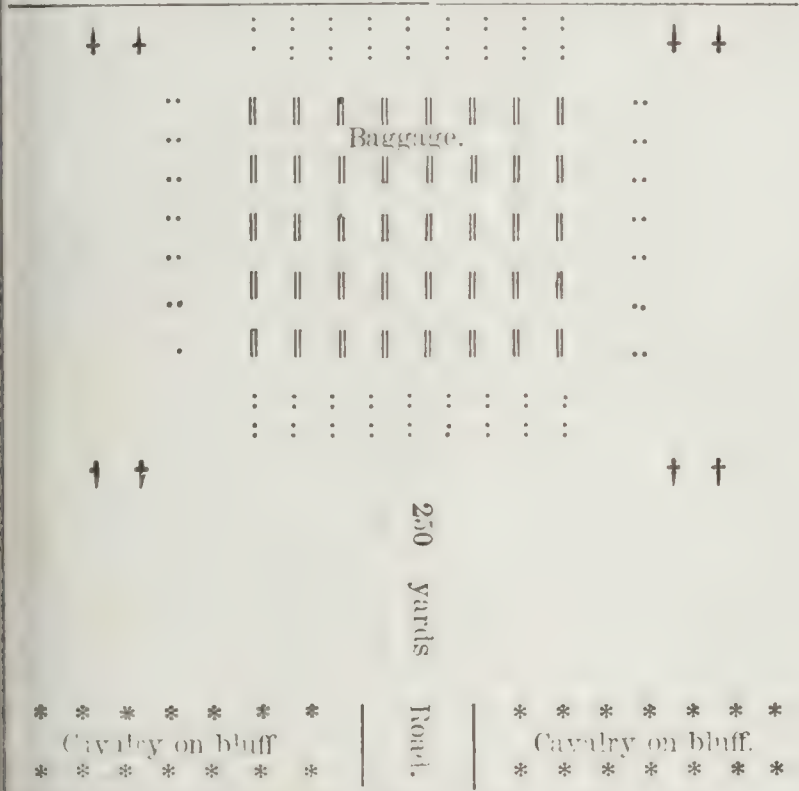


In the order as presented in the above, Colonel Salomon's battalion leading the front, the retreat was continued from about midday until five o'clock P. M., the enemy threatening on all sides, but being constantly repulsed by the well handled artillery and spirited front of the infantry. The baggage wagons numbered about fifty, and were moved in columns of eight.

At five o'clock Siegel's force came to a small creek, just beyond which was a bluff, intersected by the road to Carthage, along which he was moving. On the two sides of this divided bluff eight hundred of the rebel cavalry took position, prepared to resist the passage of the creek and road. The position was one of difficulty, and would have seriously perplexed any less skillful officer than Colonel Siegel. His head was cool, however, and to gain the advantage he resorted to stratagem, which placed his foes entirely at his mercy, and eventually secured the unimpeded movements of his command. He



ordered an *oblique* movement on the right and left of his forces, as if to pass around the sides of the bluff, at the same time advancing the two pieces of artillery on the sides to a position in front, giving Colonel Salomon's battalion the strength of two pieces on his right and two on his left. The oblique movements of the infantry were accompanied by a feint of the artillery in the same direction. The rebel cavalry of course construing these manœuvres very much in their favor, rushed down into the road from both sides of the bluff, intending, no doubt, to make a grand charge upon Colonel Siegel's centre. With the quickness of thought, the movements to the right and left were reversed, and a terribly destructive cross-fire was opened upon the rebels, the distance being but about three hundred yards, and the guns charged heavily with grape shot. In ten minutes the rout of the cavalry was complete. Diagram No. 3 will assist the reader in his appreciation of the brilliancy of this movement :



Another manœuvre was of very great assistance to Colonel Siegel, later in the evening when he was trying to gain the woods near Carthage. By commanding his men to hoist their muskets high over their heads while marching behind a high bank, the rebels were deceived as to the direction they were taking, and were drawn into a kind of ambushade, where they suffered very severely

Gaining the woods near Carthage and darkness coming on, the rebels retreated, and Colonel Siegel, notwithstanding the great fatigue of his men, took up his line of march for Sarcoxie, a distance of twelve or fourteen miles, which he reached in due season, and took refreshments and a good rest for his men. This retreat, considering its obstacles and its success, is one of which any General might be proud. Siegel afterwards had the honor of conducting the entire army of Lyon out of the perils of Springfield.

### GOVERNOR JACKSON'S "DECLARATION OF INDEPENDENCE."

In the exercise of the right reserved to the people of Missouri by the treaty under which the United States acquired the temporary dominion of the country west of the Mississippi river, in trust for the several sovereign States afterwards to be formed out of it, that people did, on the twelfth day of June, one thousand eight hundred and twenty, "mutually agree to form and establish a free and independent republic by the name of the State of Missouri." On the tenth day of August, eighteen hundred and twenty-one, the State was duly admitted into the Union of the United States of America, under the compact called the Constitution of the United States, and "on equal footing with the original States in all respects whatever." The freedom, independence and sovereignty of Missouri, and her equality with the other States of the Union, were thus guaranteed, not only by that Constitution, but by the laws of nations, requiring the sacred observance of treaties.

In repeated instances the Government and people of the States now remaining in that Union have grossly violated, in their conduct towards the people and State of Missouri, both the Constitution of the United States and that of Missouri, as well as the general, great and essential principles of liberty and free government. Their President, Abraham Lincoln, in avowed defiance of law and the Constitution of the United States, and under the tyrant's plea of necessity, has assumed to regulate commerce with foreign nations and among the several States, stopping by violence our trade with our Southern neighbors, and depriving our citizens of the right, secured to them by a special, solemn compact with the United States, to the free navigation of the Mississippi river. He has usurped power granted exclusively to Congress, in declaring war against the Confederate States, to carry on this unholy attempt to reduce a free people into slavish subjection to him, he has, in violation of the Constitution, raised and supported armies, and provided and maintained a navy.

Regardless of the right reserved to the States respectively, of training the militia and appointing its officers, he has enlisted and armed, contrary to law, under the name of Home Guards, whole regiments of men, foreigners and others, in our State, to defy the constitutional authorities and plunder and murder our citizens. By armed force and actual bloodshed, he has even attempted to deprive the people of their right to keep and bear arms in conformity to the State laws, and to form a well regulated militia necessary to the security of a free State. With his sanction his soldiers have been quartered in houses without the consent of the owners thereof,



and without any authority of law. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, has been habitually and grossly violated by his officers acting under his orders. He has utterly ignored the binding force of our constitutional State laws, and carried his insolence to such an extent as to introduce, from other States, free negroes into our midst and place them in positions of authority over our white citizens.

He has encouraged the stealing of our slave property. In these and other proceedings the Government and people of the Northern States have unmistakably shown their intention to overturn the social institutions of Missouri, and reduce her white citizens to an equality with the blacks. In the execution of his despotic wishes his agents, without even rebuke from him, have exhibited a brutality scarcely credible of a nation pretending to civilization. Even women and children of tender age have fallen victims to the unbridled license of his unfeeling soldiery. He has avowedly undertaken to make the civil power subordinate to the military; and with the despicable and cowardly design of thus protecting himself and his accomplices, by blinding the consciences of the unhappy victims of his tyranny, he has exacted from peaceful citizens, guilty of no crime, an oath to support his detestable Government. To crush out even peaceful and lawful opposition to it, he has forcibly and unconstitutionally suspended the privilege of the writ of habeas corpus, and abridged the freedom of speech and of the press by subjecting innocent citizens to punishment for mere opinion's sake, and by preventing the publication of newspapers independent enough to expose his treason to liberty.

These manifold and inhuman wrongs were long submitted to in patience, and almost in humility, by the people of Missouri and their authorities. Even when the conduct of the Lincoln Government had culminated in an open war upon us, those authorities offered to its military commander in Missouri to refer to the people of the State for decision of the question of our separation from a Government and nation thus openly hostile to us. Those authorities relied on the principles consecrated in the Declaration of Independence of the United States, that, to secure the rights of citizens, "governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness." Missouri

having an admitted equality with the original States which had made this declaration, it was hoped that the rights therein asserted would not be denied to her people.

Her authorities also relied on the clause in the very Constitution with which she was admitted into the Union, asserting as one of the general, great and essential principles of liberty and free government, "that the people of this State have the inherent, sole and exclusive right of regulating the internal government and police thereof, and of altering and abolishing their constitution and form of government whenever it may be necessary to their safety and happiness." But this military commander haughtily refused the consent of his Government to the exercise by us of these rights, which our ancestors in the last century endured an eight years' war to vindicate. He but expressed, however, the deliberate purpose of his masters at Washington and the people over which they rule; for his predecessor at St. Louis had, a few weeks before, formally proclaimed to our people that our equality with the other States would be ignored; that we should be held in subjection to the North, even though the independence of our Southern sister States might be acknowledged; that, to use his own words, "whatever may be the termination of the unfortunate condition of things in respect to the so-called cotton States, Missouri must share the destiny of the Union," that the free will of her people shall not decide her future, but that "the whole power of the Government of the United States, if necessary, will be exerted to maintain Missouri in the Union," in subjection to the tyranny of the North.

The acts of President Lincoln have been indorsed by the Congress and people of the Northern States, and the war thus commenced by him has been made the act of the Government and nation over which he rules. They have not only adopted this war, but they have gone to the extreme of inciting portions of our people to revolt against the State authorities; by intimidation they have obtained control of the remnant left of a Convention deriving its powers from those authorities, and using it as a tool, they have through it set up an insurrectionary government in open rebellion against the State. No alternative is left us; we must draw the sword and defend our sacred rights.

By the recognized universal public law of all the earth, war dissolves all political compacts. Our forefathers gave as one of their grounds for asserting their independence that the King of Great Britain had "abdicated government here by declaring us out of his protection, and waging war upon us." The people and Government of the Northern States of the late Union have acted in the same manner



towards Missouri, and have dissolved, by war, the connection heretofore existing between her and them.

The General Assembly of Missouri, the recognized political department of her Government, by an act approved May 10th, 1861, entitled, "An act to authorize the Governor of the State of Missouri to suppress rebellion and repel invasion," has vested in the Governor, in respect to the rebellion and invasion now carried on in Missouri by the Government and people of the Northern States and their allies, the authority "to take such measures as in his judgment he may deem necessary or proper to repel such invasion or put down such rebellion."

Now, therefore, by virtue of the authority in me vested by said act, I, Claiborne F. Jackson, Governor of the State of Missouri, appealing to the Supreme Judge of the world for the rectitude of my intentions, and firmly believing that I am herein carrying into effect the will of the people of Missouri, do hereby in their name, by their authority, and on their behalf, and subject at all times to their free and unbiased control, make and publish this provisional declaration, that by the acts and people and Government of the United States of America, the political connection heretofore existing between said States and the people and Government of Missouri, is, and ought to be, totally dissolved; and that the State of Missouri, as a sovereign, free and independent Republic, has full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do.

Published and declared at New Madrid, Missouri, the fifth day of August, in the year of our Lord eighteen hundred and sixty-one.

CLAIBORNE F. JACKSON,  
Governor of Missouri.

## RECAPTURE OF LEXINGTON, MO.

### MAJOR WHITE'S OFFICIAL STATEMENT.

CAMP LOOK-OUT, QUINCY, Mo., Oct. 24th, 1861.

*Major-General Fremont:*

On the 5th instant I received your orders to organize a scouting cavalry squadron for special service, and organized one by making the following detail: Company L, First Missouri Cavalry, Captain Charles Fairbanks, sixty-five men; Company C, First Missouri Cavalry, Captain P. Kehoe, sixty-five men; the Irish dragoons, (Independent,) fifty-one men.

We left Jefferson City on the 5th instant, and after a severe march reached Georgetown, our men in good condition, on the afternoon of the 8th. Our

horses being all unshod and unfit for travel, we procured a few shoes and a quantity of old iron, called for blacksmiths from our ranks, took possession of two unoccupied blacksmith shops, and in five days shod our horses and mules, two hundred and thirty-two in number. Our scanty supply of ammunition having been destroyed by the rain, and having two small bullet-moulds in our possession, we procured lead and powder, and, turning a carpenter's shop into a manufactory, made three thousand cartridges for our revolving rifles.

On the 15th instant, Colonel Hovey, commanding at Georgetown, received a dispatch from Lexington stating that a valuable baggage train had left the vicinity of Lexington, destined for Price's rebel army; also, a private dispatch from Colonel White, stating that if he and his fellow-prisoners were not relieved within twenty-four hours, they would be assassinated by the rebel marauders infesting Lexington. As Colonel Hovey's command was under marching orders, and therefore could not go to their relief, my command volunteered for the service, and Colonel Eads, of Georgetown, tendered me seventy men from his regiment.

Accompanied by Colonel Eads, I started at nine P. M., on the 15th instant, my whole force being two hundred and twenty strong. By a severe forced march of nearly sixty miles, we reached Lexington early the following morning, drove in the rebel pickets without loss, and took possession of the town. We made from sixty to seventy prisoners; took sixty stand of arms, twenty-five horses, two steam ferry-boats, a quantity of flour and provisions, a large rebel flag, and other articles of less value. The rebels fled in every direction. The steamer Sioux City having arrived at Lexington the following morning, was seized by us. Our first care was to rescue our fellow-soldiers, captured at Lexington by Price, viz., Colonel White, Colonel Grover, and some twelve or fifteen others. We placed them on board the Sioux City with a guard, and dispatched them to St. Louis. After administering the oath of allegiance to our prisoners we released them.

As the rebels were recovering from their alarm, and beginning to surround us in force, we evacuated Lexington after holding it thirty-six hours. As soon as the rebels were satisfied of our departure, they attacked our deserted camp with great energy. We then proceeded to Warrensburg, making a few captures on our route. The evening of our arrival at Warrensburg we easily repulsed a slight attack, and, by threatening to burn the town if again attacked, remained two days unmolested.

We next proceeded to Warsaw, and are now *en route* to Stockton. Among the interesting articles taken at Lexington were Price's ambulance, Colonel



Mulligan's saddle, and the flag I have the pleasure of sending you.

[The flag is the State flag of Missouri, which Claiborne F. Jackson stole from Jefferson City some months ago.]

I have no casualties to report, and my men are all in good health, anxious for further service. I cannot too highly commend the faithfulness of the officers and men detailed on this service, from Colonel Ellis' First Missouri Cavalry, and of the Irish dragoons, commanded by Captain Naughton.

Very respectfully, FRANK J. WHITE.

Major and A. D. C., Commanding First Squadron  
Prairie Scouts.

#### ABILITY OF THE NORTHERN STATES TO SUSTAIN A STATE OF WAR.

In chapter II. Division V. (pages 242-47) we give facts and figures bearing upon our ability as a nation to sustain the burdens of war. Below will be found interesting and valuable matter directed to the same end. It represents the views which prevailed quite generally in commercial circles of the North—being the European circular of an eminent New York Commission House for September, 1861.

The great theme, at the present time, of foreigners, particularly Englishmen, is the vast debt the United States are contracting to put down the rebellion. They confidently predicted the money could not be raised on loans. Driven from this position, they are equally loud in assertions that our People will not be taxed to pay the interest on the debt and for the ordinary purposes of Government; that they have not that docility which belongs to those of the old world, who patiently bear whatever load may be imposed upon them. We have so long been without a National debt, that it would not have been strange if the systematic outcry of the British Press, the great object of which was to destroy our credit in European markets, should have created some anxiety in reference to this matter among ourselves. Such, however, has not been the case. No one doubts that the interest on the debt that may be created, say \$500,000,000, can be easily met from ordinary sources of revenue, with such as we can add, without imposing burdens that will be complained of or really felt.

A debt of \$500,000,000 is not one-fifth so large in proportion to their means, and not greater in proportion to their population, than our people have twice contracted and twice paid. Upon the adoption of the Constitution, the debt assumed was \$80,000,000. The population of the country was 3,900,000. This sum exceeded \$20 per head. At that time the wealth of the country, and its means for

the payment of taxes, did not equal a tenth of those at present possessed by our people. It had been exhausted by long wars which had desolated nearly every portion of it. It was without commerce and without manufactures, while at that time there was hardly any demand in foreign countries for products of its agriculture. It was previous to the use of steam or of labor-saving machines, or of any considerable division of labor on which wealth is based. The population were widely scattered, without internal commerce, and were almost solely engrossed in providing for their daily wants. The expenses and revenues of Government were on a corresponding scale. The total expenses of the United States for the first fourteen years after the formation of the Government, exclusive of payments of interest on the National Debt, were \$53,372,478, and the yearly average \$3,812,391, which is about one-third of the annual expenditures of the City of New York. This small sum taxed the industries of the country much more severely than ten times the amount, in ratio to the population, would at the present day. Yet the debt was gradually reduced till it was only \$45,000,000 at the commencement of the war of 1812, when it was swelled to \$127,090,009 in 1816. The population of the country at that time being about 8,500,000, the rate per head was \$15. Notwithstanding the impoverished condition of the country, the payment of the debt was immediately commenced, and fully consummated in 1825.

A National Debt not exceeding, per head, those twice contracted and paid by our people, is no cause for alarm. But since the creation and payment of these, the wealth of our people has increased, probably in tenfold greater ratio than that of their population. The valuation of all the property in the several States, for taxation, in 1850, equalled \$5,989,152,771; in 1860, \$11,296,306,942—an increase of nearly 100 per cent.; the increase of population in the same time was 35 per cent. The increase of the former has been in threefold ratio to the latter, from the effect of the new agencies that man is constantly summoning to his aid. The locomotive engines in the United States are now performing the labor of 50,000,000 horses. The machinery brought into use since 1816 in this country is equal to the labor of 500,000,000 men. In effect, the productive capacity and wealth of the country has increased as if the population of the country had gone up to hundreds of millions instead of 31,500,000.

This statement strikingly illustrates our increased means, and is fully confirmed by the extent of the internal commerce of the country, which is almost entirely the result of the application of steam to locomotion, and which has been almost wholly created since 1816. The tonnage carried by the railroads



of the State of Massachusetts for 1869 was 3,716,726 tons, worth, at the very low valuation of \$100 per ton, \$371,572,600. The tonnage of the Erie Canal and the Erie and New York Central Railroads for 1860 were 6,767,736 tons, worth at least \$676,773,600—making an internal commerce for the two States alone, exceeding \$1,000,000,000 in value, nearly the whole of which has been created since the opening of the Erie Canal in 1824. Other portions of the country show a still greater relative progress, as their public works have not only been constructed, but their population supplied within the last forty years. There are now in the United States 31,500 miles of railroad, that have cost \$1,254,000, and 5,131 miles of canal, that have cost \$2,000,000,000. The loyal States have 23,600 miles of railroad, costing 950,000,000, and 5,000 miles of canal, costing \$200,000,000. If the annual value of the trade of the public works of New York and Massachusetts, with a mileage of 5170 miles, is equal to \$1,000,000,000, that of the remainder of the loyal States, with a railroad and canal mileage of 23,500 miles, must surely amount to a sum twice as large, or \$200,000,000.

\* \* \* \* \*

In the United States we have, since the War of 1812, had only two sources of National Income—customs and lands. The income from the latter has never paid the cost of their management and the annuities to the various tribes of Indians from whom they were purchased. Customs duties in England are less than one-third of the revenues. We have only to adopt the example of that country to swell ours to five times their ordinary amounts. The economy of our Government has kept our expenditures to one-sixth those of Great Britain. We can raise an equal sum with a similar system, and a larger one, as labor, which pays the revenues of both countries, is vastly more productive in the United States than that country. That our people will not readily submit to any burdens necessary to put down the rebellion, is a most unwarrantable assumption. The economic working of their institutions, with the marvellous material progress under them, has caused them to be regarded with an affection which people of other countries cannot appreciate. In England the annual taxes for the support of the National Government exceeds \$12 per head. In this country they have averaged less than \$2 per head. Upon the return of peace they will not probably exceed \$100,000,000. This sum will not call for more than \$3 per head. A rate per head equal to that paid by the people of New York for municipal and State purposes, would produce \$450,000,000; or a rate equal to that assessed upon the taxable property of the city, \$550,000,000; a sum exceeding considerably twice the probable expenditure of the

Federal Government upon a peace footing. For such expenditures, we have the customs' revenue, estimated to produce \$50,000,000; a direct tax of \$20,000,000, and an income tax of 3 per cent. on all incomes over \$800 annually. These sources should produce very nearly the amount required, without resorting to excise or stamps, or other internal taxes. The increased burdens will hardly be perceptible. The rapid increase of our population daily lightens previous burdens. The increase for the past decade was equal to \$800,000 yearly. For the next it will exceed \$1,000,000, proving most fully the remark of the Emperor of Russia in his late letter to our President, that the movement of the United States is upon the *ascending scale*. When their resources and future is fully appreciated, we can predict a price for their securities which shall place them on a level with those of the most stable European Governments, and far higher than their previous customary range.

FLAG OFFICER MERVINE'S OFFICIAL REPORT  
OF THE DESTRUCTION IN PENSACOLA HARBOR,  
OF THE PRIVATEER JUDAH.

UNITED STATES FLAGSHIP COLORADO, }  
OFF FORT PICKENS, Sept. 15th, 1861. }

Sir: I have the honor to inform you that a boat expedition was fitted out from this ship on the night of the 13th instant, consisting of the first launch, and first, second and third cutters, under the command of Lieutenants Russell, Sprotson, Blake, and Midshipman Steece, respectively, assisted by Captain Reynolds, of the marines, Assistant Surgeon Kennedy, Assistant Engineer White, Gunner Horton, and Midshipmen Forrest and Higginson. The whole force detailed consisted of about one hundred men, officers, sailors and marines. The object of the expedition was the destruction of a schooner which lay off the Pensacola Navy Yard, supposed to be fitting out as a privateer, and the spiking of a gun in battery, at the southeast end of the yard.

The movements of the schooner had been assiduously watched for several days and nights, and I deemed it so morally certain that she was intended for a privateer, that I determined the attempt should be made to destroy her, even in the face of the fearful odds which would have to be encountered. Lieutenant Russell had charge of the expedition, and, with Lieutenant Blake, was to attack the vessel, while Lieutenant Sprocton and Midshipman Steece spiked the guns.

The attack was made on the morning of the 14th inst., at half-past three o'clock. The schooner, named the *Judah*, was found moored to the wharf, under the protection of a battery and field piece,



and to be armed with a pivot and four broadside guns. Her crew were on her, and prepared to receive our forces, pouring in a volley of musketry as the boat neared the vessel. A desperate resistance was made from the decks of the schooner, but her men were driven off on to the wharf by our boarders, where they rallied and were joined by the guard, and kept up a continued fire upon our men.

In the meantime the vessel was set on fire in several places. That which finally consumed her was lighted in the cabin by Assistant Engineer White, and a coal heaver, Patrick Driscoll, who went as a volunteer. She burned to the water's edge, and has since, while burning, been set free from her moorings, and has drifted down opposite Fort Barrancas, where she sunk.

Of the party assigned to the spiking of the gun, only Lieutenant Sproston and Gunner Horton were able, after considerable search, to find it; the party becoming separated in the darkness. No opposition was made to their landing; Midshipman Steece, with his command, had gone to the aid of those on the schooner, where he performed valuable service. Very fortunately, only one man was found in charge of the gun, and he immediately levelled his piece at Lieutenant Sproston, but was shot down by Gunner Horton before he could obtain certain aim. Both pieces exploded simultaneously. The gun, which was found to be a ten-inch columbiad, was immediately spiked, and, bringing off its tompion, these two officers returned to their boat.

The work proposed having been well and thoroughly done, in the short space of fifteen minutes, and the whole force of the enemy in the yard—reported by deserters as over one thousand strong—being aroused, our boats pulled away, and rallying at a short distance from the shore, fired six charges of cannister from their howitzers into the yard, with what result it is impossible to say. Three of the enemy are known to have been killed, and our officers are confident the number is much larger. The boats then returned to the ship, arriving there about daylight.

But, sir, I am grieved to report this brilliant affair was not unattended by loss on our side. I have to report as killed by shots from the crosstrees of the schooner, while the boats were approaching, Boat-swain's Mate Charles H. Lamphere, and John R. Herring, seaman and captain of the howitzer, two of the best men in our ship, and marine John Smith—the first man to board the schooner, and who behaved most gallantly—who was, by a sad mistake, having lost his distinguishing mark, killed by one of our own men. We have wounded, probably mortally, seamen R. Clark and E. K. Osborn; severely, nine other seamen. Captain Reynolds received a

severe contusion on his shoulder, and Midshipman Higginson had the end of his thumb shot off. Lieutenants Russell and Blake had narrow escapes, the flesh of each being grazed by one or more musket balls.

It is not an easy task to select individual instances of bravery or daring where all behaved so gallantly. The officers unite in giving great credit to the coolness and bravery with which they were supported by the men, and the latter have learned to look with new pride and confidence on the former. The marines, especially, seem to have sustained the reputation borne by that branch of the service, as they receive encomiums from all sides. Assistant Surgeon Kennedy rendered valuable assistance in the care of the wounded. Assistant Engineer White brought down from the crosstrees of the schooner a man who had been seen to fire upon the boats, killing him instantly. I enclose, herewith, a complete list of all engaged in the affair, with the names of the killed and wounded in each boat.

I have the honor to be, very respectfully, your obedient servant,

WILLIAM MERVINE,

Flag Officer Commanding Gulf Blockade Squadron.

## THE KENTUCKY SECESSION ORDINANCE AND PLAN OF GOVERNMENT.

### THE ORDINANCE.

*Whereas*, the Federal Constitution, which created the Government of the United States, was declared by the framers thereof to be the supreme law of the land, and was intended to limit, and did expressly limit, the powers of said Government to certain general specified purposes, and did expressly reserve to the States and people all other powers whatever, and the President and Congress have treated this supreme law of the Union with contempt, and usurped to themselves the power to interfere with the rights and liberties of the States and the people, against the express provisions of the Constitution, and have thus substituted for the highest forms of rational liberty and Constitutional Government a central despotism, founded upon the ignorant prejudices of the masses of Northern society, and instead of giving protection, with the Constitution, to the people of fifteen States of the Union, have turned loose upon them the unrestrained and raging passions of mobs and fanatics; and because we now seek to hold our liberties, our property, our homes and our families, under the protection of the reserved powers of the States, have blockaded our ports, invaded our soil and waged war upon our people, for the purpose of subjugating us to their will.

*And whereas*, our own honor and our duty to pos-



terity demand that we shall not relinquish our own liberty, and shall not abandon the rights of our descendants and the world to the inestimable blessings of Constitutional Government; therefore,

*Be it ordained*, That we do hereby forever sever our connection with the Government of the United States, and in the name of the people we do hereby declare Kentucky to be a free and independent State, clothed with all the power to fix her own destiny and to secure her own rights and liberties.

*And whereas*, The majority of the Legislature of Kentucky have violated their most solemn pledges made before the election, and deceived and betrayed the people; have abandoned the position of neutrality assumed by themselves and the people, and invited into the State the organized armies of Lincoln; have abdicated the Government in favor of the military despotism which they have placed around themselves, but cannot control, and have abandoned the duty of shielding the citizen with their protection; have thrown upon our people and the State the horrors and ravages of war, instead of attempting to preserve the peace; and have voted men and money for the war waged by the North for the destruction of our constitutional rights; have violated the express words of the Constitution by borrowing five millions of money for the support of the war without a vote of the people; have permitted the arrest and imprisonment of our citizens, and transferred the constitutional prerogatives of the Executive to a military commission of partisans; have seen the writ of habeas corpus suspended without an effort for its preservation, and permitted our people to be driven in exile from their homes; have subjected our property to confiscation, and our persons to confinement in the penitentiary as felons, because we may choose to take part in a contest for civil liberty and Constitutional Government, against a sectional majority waging war against the people and institutions of fifteen States of the old Federal Union, and have done all these things deliberately, against the warnings and voices of the Governor and the solemn remonstrances of the minority in the Senate and House of Representatives; therefore,

*Be it further ordained*, That the unconstitutional edicts of a factious majority of a Legislature, thus false to their pledges, their honor and their interests, are not law, and that such a Government is unworthy of the support of a brave and free people, and we do hereby declare that the people are absolved from all allegiance to said Government, and have the right to establish any Government, which to them may seem best adapted to the preservation of their rights and liberties.

#### PLAN OF PROVISIONAL GOVERNMENT.

#### Section 1. The supreme Executive and Legislative

power of the Provisional Government of this Commonwealth hereby established, shall be vested in a Governor and ten Councilmen, one from each of the present Congressional districts, a majority of whom shall constitute a quorum to transact business; the Governor and Councilmen to be elected by the members of this Convention, in such manner as this Convention may prescribe.

Sec. 2. The Governor and Council are hereby invested with full power to pass all laws necessary to effect the object contemplated by the formation of the Government. They shall have full control of the army and navy of this Commonwealth, and the militia thereof.

Sec. 3. No law shall be passed, or act done, or appointment made, either civil or military, by the Provisional Government, except with the concurrence of a majority of the Council and approval of the Governor, except as hereinafter specially provided.

Sec. 4. In the case of a vacancy in the gubernatorial office, occasioned by death, resignation or any other cause, the Council shall have power to elect a Governor, and his successor, who shall not, however, be a member of their body.

Sec. 5. The Council hereby established shall consist of one person selected from each Congressional district in the State, to be chosen by this Convention, who shall have power to fill all vacancies from any cause from the district in which such vacancy shall occur.

Sec. 6. The Council shall have power to pass any acts which they may deem essential to the preservation of our liberty and the protection of our rights, and such acts, when approved by the Governor, shall become law, and as such, shall be sustained by the courts and other departments of the Government.

Sec. 7. The Governor shall nominate and, by and with the advice and consent of the Council, appoint all judicial and executive and other officers necessary for the enforcement of law and the protection of society, under the extraordinary circumstances now existing, who shall continue in office during the pleasure of the Governor and Council, or until the establishment of a Permanent Government.

Sec. 8. The Governor shall have power, by and with the consent and advice of the Council, to conclude a treaty with the Confederate States of America, by which the State of Kentucky may be admitted as one of said Confederate States, upon an equal footing in all respects with the other States of said Confederacy.

Sec. 9. Three Commissioners shall be appointed by this Convention to the Government of the Confederate States of America, with power to negotiate



and treat with said Confederate States for the earliest practicable admission of Kentucky into the Government of said Confederate States of America, who shall report the result of their mission to the Governor and Council of this Provisional Government, for such future action as may be deemed advisable; and should less than the full number attend, such as may attend may conduct such negotiation.

Sec. 10. So soon as an election can be held, free from the influence of the armies of the United States, the Provisional Government shall provide for the assembling of a Convention to adopt such measures as may be necessary and expedient for the restoration of a Permanent Government. Said Convention shall consist of one hundred delegates, one from each representative district in the State, except the counties of Mason and Kenton, each of which shall be entitled to two delegates.

Sec. 11. An Auditor and Treasurer shall be appointed by the Provisional Government, whose duties shall be prescribed by law, and who shall give bond, with sufficient security, for the faithful discharge of the duties of their respective offices, to be approved by the Governor and Council.

Sec. 12. The following oath shall be taken by the Governor, members of the council, judges and all other officers, civil and military, who may be commissioned and appointed by this Provisional Government:

I, ———, do solemnly swear, or affirm, in the presence of Almighty God and upon my honor, that I will observe and obey all the laws passed by the Provisional Government of Kentucky, so help me God.

Sec. 13. The Governor shall receive as his salary, two thousand dollars per annum, and the Councilmen five dollars per diem while in session, and the salary of the other officers shall be fixed by law.

Sec. 14. The Constitution and Laws of Kentucky not inconsistent with the act of this Convention and the establishment of this Government, and the laws which may be enacted by the Governor and Council, shall be the laws of this State.

Sec. 15. Whenever the Governor and Council shall have concluded a treaty with the Confederate States for the admission of this State into the Confederate Government, the Governor and Council shall elect two Senators and provide by law for the election of members of the House of Representatives in Congress.

Sec. 16. The Provisional Government, hereby established, shall be located at Bowling Green, Kentucky, but the Governor and Council shall have power to meet at any other place that they may consider appropriate.

Done at Russellville, in the State of Kentucky, this 20th day of November, in the year of our Lord, 1861.

## THE BRITISH MINISTER'S REMONSTRANCE AGAINST THE ARREST OF BRITISH SUBJECTS. MR. SEWARD'S SPIRITED REPLY.

LORD LYONS TO MR. SEWARD.

WASHINGTON, Oct. 14th, 1861.

Sir: Her Majesty's Government were much concerned to find that two British subjects, Mr. Patrick and Mr. Rahming, had been subjected to arbitrary arrest; and although they had learned from a telegraphic dispatch from me that Mr. Patrick had been released, they could not but regard the matter as one requiring their very serious consideration.

Her Majesty's Government perceive that when British subjects, as well as American citizens, are arrested, they are immediately transferred to a military prison, and that the military authorities refuse to pay obedience to a writ of habeas corpus.

Her Majesty's Government conceive that this practice is directly opposed to the maxim of the Constitution of the United States "that no person shall be deprived of life, liberty or property without due process of law."

Her Majesty's Government are willing, however, to make every allowance for the hard necessities of a time of internal trouble; and they would not have been surprised if the ordinary securities of personal liberty had been temporarily suspended; nor would they have complained if British subjects falling under suspicion had suffered from the consequences of that suspension.

But it does not appear that Congress has sanctioned in this respect any departure from the due course of law; and it is in these circumstances that the law officers of the Crown have advised her Majesty's Government that the arbitrary arrests of British subjects are illegal.

So far as appears to her Majesty's Government, the Secretary of State of the United States exercises, upon the reports of spies and informers, the power of depriving British subjects of their liberty, of retaining them in prison, or liberating them by his own will and pleasure.

Her Majesty's Government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity existing between the two nations, and as tending to prevent the resort of British subjects to the United States for purposes of trade and industry.

Her Majesty's Government have therefore felt bound to instruct me to remonstrate against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects.



I have the honor to be, sir, with the highest consideration, your most obedient humble servant.

LYONS.

The Hon. WILLIAM H. SEWARD, &c.

MR. SEWARD TO LORD LYONS.

DEPARTMENT OF STATE, }  
WASHINGTON, Oct. 14th, 1861. }

*My Lord:* I have the honor to acknowledge your lordship's note of the present date.

In that paper you inform me that the British Government is much concerned to find that two British subjects, Mr. Patrick and Mr. Rahming, have been brought under arbitrary arrest, and that although her Majesty's Ministers have been advised by you of the release of Mr. Patrick, yet they cannot but regard the matter as requiring the very serious consideration of this Government.

You further inform me that her Majesty's Government perceive that when British subjects, as well as American citizens, are arrested, they are transferred to a military prison, and that the military authorities refuse to pay obedience to a writ of habeas corpus.

You add that her Majesty's Government conceive that this practice is directly opposed to the maxim of the Constitution of the United States, that no person shall be deprived of life, property or liberty, without due process of law. You then observe that her Majesty's Government are nevertheless willing to make every allowance for the hard necessities of internal trouble, and they would not have been surprised if the ordinary securities of personal liberty had been temporarily suspended, nor would they have complained if British subjects, falling under suspicion, had suffered from the consequences of such suspension, but that it does not appear that Congress has sanctioned, in this respect, any departure from the course of law, and it is in these circumstances that the law officers of the Crown have advised her Majesty's Government that the arrests of British subjects are illegal.

You remark further, that so far as appears to her Majesty's Government, the Secretary of State for the United States examines, upon the reports of spies, and assumes the power of depriving British subjects of their liberty or liberating them by his own will and pleasure; and you inform me that her Majesty's Government cannot but regard this despotic and arbitrary power as inconsistent with the Constitution of the United States, as at variance with the treaties of amity existing between the two nations, and as tending to prevent the resort of British subjects to the United States for purposes of trade and industry. You conclude with informing me that upon these grounds her Majesty's Government have felt bound to instruct you to remonstrate

against such irregular proceedings, and to say that, in their opinion, the authority of Congress is necessary in order to justify the arbitrary arrest and imprisonment of British subjects.

The facts in regard to the two persons named in your note are as follows:

Communications from the regular police of the country to the Executive at Washington showed that disloyal persons in the State of Alabama were conducting treasonable correspondence with confederates, British subjects and American citizens, in Europe, aimed at the overthrow of the Federal Union by armed forces actually in the field and besieging the Capital of the United States. A portion of this correspondence which was intercepted was addressed to the firm of Smith & Patrick, brokers, long established and doing business in the city of New York. It appeared that this firm had a branch at Mobile; that the partner, Smith, is a disloyal citizen of the United States, and that he was in Europe when the treasonable papers were sent from Mobile, addressed through the house of Smith & Patrick, in New York. On receiving this information, William Patrick was arrested and committed into military custody at Fort Lafayette, by an order of the Secretary of War of the United States, addressed to the police of the city of New York. These proceedings took place on the 28th of August last.

Representations were thereupon made to the Secretary of State by friends of Mr. Patrick, to the effect that notwithstanding his associations he was personally loyal to the Government, and that he was ignorant of the treasonable nature of the correspondence which was being carried on through the mercantile house of which he was a member. Directions were thereupon given by the Secretary of State to a proper agent to inquire into the correctness of the facts thus presented, and this inquiry resulted in the establishment of their truth. Mr. William Patrick was thereupon promptly released from custody by direction of the Secretary of State. This release occurred on the 13th day of September last.

On the 2d day of September the Superintendent of Police in the city of New York informed the Secretary of State, by telegraph, that he had under arrest J. C. Rahming, who had just arrived from Nassau, where he had attempted to induce the owners of the schooner *Arctic* to take cannon to Wilmington, in North Carolina, for the use of the rebels, and inquired what he should do with the prisoner. J. C. Rahming was thereupon committed into military custody at Fort Lafayette, under a mandate from the Secretary of State. This commitment was made on the 2d day of September. On the 17th day



of that month the prisoner, after due inquiry was released from custody, on his executing a bond in the penalty of two thousand five hundred dollars, with a condition that he should thereafter bear true allegiance to the United States, and do no act hostile or injurious to them, while remaining under their protection.

I have to regret that, after so long an official intercourse between the Governments of the United States and Great Britain, it should be necessary now to inform her Majesty's Ministers that all executive proceedings, whether of the Secretary of War or of the Secretary of State, are, unless disavowed or revoked by the President, proceedings of the President of the United States.

Certainly it is not necessary to announce to the British Government now that an insurrection, attended by civil and even social war, was existing in the United States when the proceedings which I have thus related took place. But it does seem necessary to state, for the information of that Government, that Congress is by the Constitution invested with no executive power or responsibility whatever, and, on the contrary, that the President of the United States is, by the Constitution and laws, invested with the whole executive power of the Government, and charged with the supreme direction of all municipal or ministerial civil agents, as well as of the whole land and naval forces of the Union, and that, invested with these ample powers, he is charged by the Constitution and laws with the absolute duty of suppressing insurrection, as well as preventing and repelling invasion, and that for these purposes he constitutionally exercises the right of suspending the writ of habeas corpus, whenever and whatsoever and in whatsoever extent the public safety, endangered by treason or invasion in arms, in his judgment requires.

The proceedings of which the British Government complain, were taken upon information conveyed to the President by legal police authorities of the country, and they were not instituted until after he had suspended the great writ of freedom in just the extent that, in view of the perils of the State, he deemed necessary. For the exercise of that discretion he, as well as his advisers, among whom are the Secretary of War and the Secretary of State, is responsible by law before the highest judicial tribunal of the republic, and amenable also to the judgment of his countrymen and the enlightened opinion of the civilized world.

A candid admission contained in your letter relieves me of any necessity for showing that the two persons named therein were neither known nor supposed to be British subjects when the proceedings occurred, and that in every case subjects of her

Majesty residing in the United States, and under their protection, are treated during the present troubles in the same manner and with no greater or less rigor than American citizens.

The military prison which was used for the temporary detention of the suspected parties is a fort, constructed and garrisoned for the public defense. The military officer charged with their custody has declined to pay obedience to the writ of habeas corpus; but the refusal was made in obedience to an express direction of the President, in the exercise of his functions as Commander-in-Chief of all the land and naval forces of the United States. Although it is not very important, it certainly is not entirely irrelevant, to add that, so far as I am informed, no writ of habeas corpus was attempted to be served, or was even sued out or applied for, in behalf of either of the persons named; although in a case not dissimilar the writ of habeas corpus was issued out in favor of another British subject, and was disobeyed by direction of the President.

The British Government have candidly conceded, in the remonstrance before me, that even in this country, so remarkable for so long an enjoyment by its people of the highest liberties of personal freedom, war, and especially civil war, cannot be conducted exclusively in the forms and with the dilatory remedies provided by municipal laws which are adequate to the preservation of public order in a time of peace. Treason always operates, if possible, by surprise, and prudence and humanity therefore equally require that violence concocted in secret shall be prevented, if practicable, by unusual and vigorous precaution. I am fully aware of the inconveniences which result from the practice of such precaution, embarrassing communities in social life, and affecting, perhaps, trade and intercourse with foreign nations. But the American people, after having tried in every way to avert civil war, have accepted it at last as a stern necessity. The chief interest, while it lasts, is not the enjoyments of society, or the profits of trade, but the saving of the national life. That life saved, all the other blessings which attend it will speedily return, with greater assurance of continuance than ever before. The safety of the whole people has become, in the present emergency, the supreme law, and so long as the danger shall exist, all classes of society equally, the denizen and the citizen, cheerfully acquiesce in the measures which that law prescribes. This Government does not question the learning of the legal advisers of the British Crown, or the justice of the deference which her Majesty pays to them. Nevertheless, the British Government will hardly expect that the President will accept their explanations of the Constitution of the



United States, especially when the Constitution, thus expounded, would leave upon him the sole executive responsibility of suppressing the existing insurrection, while it would transfer to Congress the most material and indispensable power to be employed for that purpose. Moreover, these explanations find no real support in the letter, much less in the spirit, of the Constitution itself. He must be allowed, therefore, to prefer and be governed by the view of our organic national law which, while it will enable him to execute his great trust with complete success, receives the sanction of the highest authorities of our own country, and is sustained by the general consent of the people for whom alone that Constitution was established.

I avail myself of this opportunity to offer to your lordship a renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

The RIGHT HON. LORD LYONS, &c.

#### REPORT OF THE COMMITTEE APPOINTED BY THE VIRGINIA STATE CONVENTION TO SUGGEST AMENDMENTS TO THE STATE CONSTITUTION.

The Virginia State Convention reassembled in Richmond, November 19th, 1861. In its former session it adopted (May 1st, 1861) the following resolution :

*Resolved*, That a committee of seven members be appointed by the President of the Convention, whose duty it shall be to consider and report to the Convention, at its adjourned session, such amendments to the Constitution of Virginia as may be necessary and proper under existing circumstances."

Before reassembling in November, the Committee through its Chairman, Sandy Stuart, (once Secretary of the Interior) submitted its majority report of which the following extracts are the material portions :

"Governments are instituted for the protection of the rights of persons and property ; and any system must be radically defective which does not give ample security to both. The great interests of every community may be classed under the heads of labor and capital, and it is essential to the well being of society that the proper equilibrium should be established between these important elements. The undue predominance of either must eventually prove destructive of the social system. Capital belongs to the few—labor to the many. In these systems in which capital has the ascendancy, the Government must, to some extent, partake of an oligarchy, whilst in those in which labor is predominant, the tendency is to what Mr. John Randolph graphically described as 'the despotism of king numbers.'

It is the office of enlightened statesmanship to secure to each its appropriate influence, but to give the absolute control to neither.

"The political condition of the Northern States presents a striking illustration of the evils incident to the preponderance of the element of labor. In the early periods of their history these evils were not so apparent as they have since become. Their population was sparse, and the Western Territories afforded a convenient outlet for their restless citizens ; labor was in demand at high wages ; property was easily acquired, and consequently the line of demarcation between labor and capital was not strictly drawn, because the laborer of to-day might rapidly become the capitalist of to-morrow. But within the last twenty years a marked change has taken place in the North. Population has become dense, and the safety-valve afforded by emigration to the Western Territories has been greatly obstructed. Wages have not kept pace with the cost of subsistence, and the difficulty of acquiring property has increased. The tendency of this new condition of things has been to divide society into two distinct classes, and to array the one against the other.

"This tendency to a conflict between labor and capital has already manifested itself in many forms, comparatively harmless, it is true, but nevertheless clearly indicative of a spirit of licentiousness which must, in the end, ripen into agrarianism. It may be seen in the system of free schools, by which the children of the poor are educated at the expense of the rich ; in the various forms of exemption and homestead bills ; in the popular cry of 'lands for the landless,' and 'homes for the homeless ;' in Fourierism and communism ; in the habitual disregard of the ordinances of religion, and of the institution of matrimony ; and, more distinctly, in the form of abolitionism.

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"In the opinion of your committee, no system of Government can afford permanent and effectual security to life, liberty and property, which rests on the basis of unlimited suffrage and the election of officers of every department of the Government by the direct vote of the people. The tendency of such a system is to demoralize the masses ; to encourage the habit of office-seeking ; to foster corruption at the polls, and to place unworthy and incompetent men in positions of trust and responsibility. These, however, are the vital principles of the social organization of the North, and, as before stated, their bitter fruits are already in a course of rapid development.

"In the Southern States more conservative and rational principles still prevail. This is due mainly



to the institution of slavery, which constitutes a partial restriction on the right of suffrage. In the North men of every class and condition of life are entitled to vote. In the South, all who are in a condition of servitude are necessarily excluded from the exercise of political privileges, and the power of the country is wielded by the more intelligent classes, who have a permanent interest in the well-being of society.

"Slavery also constitutes an effectual barrier against that tendency to antagonism between labor and capital which exists in the North. There, capital is the casual employer of labor, and is interested in diminishing its wages. Here, capital is the owner of labor, and, naturally, seeks to enhance its rewards.

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"Material changes seem, also, to be necessary in regard to the selection of various classes of public officers. Under the Constitution, as it now stands, no discrimination is made in the mode of choosing public agents, founded on a consideration of the nature of the functions they have to perform. A mistaken desire to propitiate popular favor, rather than a wise and well-considered purpose to give security to individual rights, and stability and dignity to the Government, seems to have controlled the action of the Convention of 1859. The selection of almost every officer has been referred to the people, and by shortening the official term, as far as possible, the officers are made dependent on the people.

"In determining the mode of selecting officers, it seems to your committee that some regard ought to be had to the nature of the duties they will be required to discharge. No rule can be prescribed which will be free from all objection, but your committee believe that it would be safe to assume that all *legislative* officers should be elected by the people, but that those who are to fill *executive* or *judicial* trusts should be chosen by intermediate agents. There seems to be a good reason for this distinction. Legislation affects the rights and liberties of the whole people collectively.

"Hence, those who exercise legislative powers should be elected by a direct vote of the people, and be dependent, for their continuance in office, on the will of the people. But judicial and executive officers, being intrusted with the duty of expounding and administering the public will, as expressed through the Legislature, and in applying law to individual cases, have functions to perform which do not concern the people at large, and ought not to be affected by their wishes.

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"As a general rule, it would be much safer for the

people to elect, in the mode prescribed by law, representatives in whose ability, integrity and patriotism they could confide, and leave to them the duty, not merely of framing the laws, but also of selecting the higher officers, to expound and execute them."

This remarkable document was a fair exponent of the principles of the ruling class in the South, and of the tendencies of the revolution—a revolution not only against the United States, but against the democratic principle of all Southern State Constitutions. It was one of the secret purposes of this "ruling class" to disfranchise the non-property holders of the Confederacy. So long as a state of war existed, it was not policy to announce the programme for the future Government of the South—the "poor whites" might rebel. But the Conventions acted out the principle of exclusive rule, by themselves *appointing* members of Congress, and Congress acted out its exclusive authority by *appointing* the Executive officers of Government.

#### PORTIONS OF THE SECRETARY OF WAR'S REPORT (DECEMBER 26, 1861) DISCARDED BY THE PRESIDENT.

On page 436 we refer to the fact that the President objected to a portion of the Report of Mr. Cameron, and that, the Secretary refusing to discard or to modify it, Mr. Lincoln assumed the responsibility of expungement. The following is the conclusion of the document as written by Mr. Cameron. See page 446 for its modified form. It may here be said that Mr. Cameron, like Fremont in Missouri, and Hunter in South Carolina, seemed to err by *anticipating* the order of administration, for the President, upon the issue of his succeeding annual message virtually embraced all of Mr. Cameron's views:

"It has become a grave question for determination, what shall be done with the slaves abandoned by their owners on the advance of our troops into the Southern territory, as in the Beaufort district of South Carolina. The whole white population therein is 6,000, while the number of negroes exceeds 32,000. The panic which drove their masters in wild confusion from their homes, leaves them in undisputed possession of the soil. Shall they, armed by their masters, be placed in the field to fight against us, or shall their labor be continually employed in reproducing the means for supporting the armies of rebellion?

"The war into which this Government has been forced by rebellious traitors, is carried on for the purpose of repossessing the property violently and



treacherously seized upon by the enemies of the Government, and to reestablish the authority and laws of the United States in the places where it is opposed or overthrown by armed insurrection and rebellion. Its purpose is to recover and defend what is justly its own.

“War, even between independent nations, is made to subdue the enemy, and all that belongs to that enemy, by occupying the hostile country, and exercising dominion over all the men and things within its territory. This being true in respect to independent nations at war with each other, it follows that rebels who are laboring by force of arms to overthrow a Government, justly bring upon themselves all the consequences of war, and provoke the destruction merited by the worst of crimes. That Government would be false to national trust, and would justly excite the ridicule of the civilized world, that would abstain from the use of any efficient means to preserve its own existence, or to overcome a rebellious and traitorous enemy, by sparing or protecting the property of those who are waging war against it.

“The principal wealth and power of the Rebel States is a peculiar species of property, consisting of the service or labor of African slaves, or the descendants of Africans. This property has been variously estimated at the value of from \$700,000,000 to \$1,000,000,000.

“Why should this property be exempt from the hazards and consequences of a rebellious war?

“It was the boast of the leader of the rebellion, while he yet had a seat in the Senate of the United States, that the Southern States would be comparatively safe and free from the burdens of war, if it should be brought on by the contemplated rebellion, and that boast was accompanied by the savage threat, that ‘Northern towns and cities would become the victims of rapine and military spoil,’ and that ‘Northern men should smell Southern gunpowder and feel Southern steel.’ No one doubts the disposition of the rebels to carry that threat into execution. The wealth of Northern towns and cities, the produce of Northern farms, Northern workshops and manufactories, would certainly be seized, destroyed, or appropriated as military spoil. No property in the North would be spared from the hands of the rebels, and their rapine would be defended under the laws of war. While the loyal States thus have all their property and possessions at stake, are the insurgent rebels to carry on warfare against the Government in peace and security to their own property?

“Reason and justice and self-preservation forbid that such should be the policy of this Government, but demand, on the contrary, that, being forced by

traitors and rebels to the extremity of war, all the rights and powers of war should be exercised to bring it to a speedy end.

“Those who make war against the Government justly forfeit all rights of property, privilege, or security, derived from the Constitution and laws, against which they are in armed rebellion; and as the labor and service of their slaves constitute the chief property of the rebels, such property should share the common fate of war to which they have devoted the property of loyal citizens.

“While it is plain that the slave property of the South is justly subjected to all the consequences of this rebellious war, and that the Government would be untrue to its trust in not employing all the rights and powers of war to bring it to a speedy close, the details of the plan for doing so, like all other military measures, must, in a great degree, be left to be determined by particular exigencies. The disposition of other property belonging to the rebels that becomes subject to our arms is governed by the circumstances of the case. The Government has no power to hold slaves, none to restrain a slave of his liberty, or to exact his service. It has a right, however, to use the voluntary service of slaves liberated by war from their rebel masters, like any other property of the rebels, in whatever mode may be most efficient for the defense of the Government, the prosecution of the war and the suppression of the rebellion. It is as clearly a right of the Government to arm slaves when it may become necessary as it is to use gunpowder taken from the enemy. Whether it is expedient to do so is purely a military question. The right is unquestionable by the laws of war. The expediency must be determined by circumstances, keeping in view the great object of overcoming the rebels, reestablishing the laws, and restoring peace to the nation.

“It is vain and idle for the Government to carry on this war, or hope to maintain its existence against rebellious force, without employing all the rights and powers of war. As has been said, the right to deprive the rebels of their property in slaves and slave labor, is as clear and absolute as the right to take forage from the field, or cotton from the warehouse, or powder and arms from the magazine. To leave the enemy in the possession of such such property as forage and cotton and military stores, and the means of constantly reproducing them, would be madness. It is, therefore, equal madness to leave them in peaceful and secure possession of slave property, more valuable and efficient to them for war, than forage, cotton and military stores. Such policy would be national suicide. What to do with that species of property, is a question that time and circumstance will solve, and need



not be anticipated further than to repeat that they cannot be held by the Government as slaves. It would be useless to keep them as prisoners of war; and self-preservation, the highest duty of a Government, or of individuals, demands that they should be disposed of or employed in the most effective manner that will tend most speedily to suppress the insurrection and restore the authority of the Government. If it shall be found that the men who have been held by the rebels as slaves are capable of bearing arms and performing efficient military service, it is the right, and may become the duty, of the Government to arm and equip them, and employ their services against the rebels, under proper military regulation, discipline and command.

"But in whatever manner they may be used by the Government, it is plain that once liberated by the rebellious act of their masters, they should never again be restored to bondage. By the master's treason and rebellion he forfeits all right to the labor and service of his slave; and the slave of the rebellious master, by his service to the Government, becomes justly entitled to freedom and protection.

"The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The Representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country.

"SIMON CAMERON,

"Secretary of War.

"To the President."

#### GENERAL HALLECK'S INTERPRETATION OF HIS ORDER NUMBER THREE.

On page 431 we refer to Halleck's General Order Number Three, relating to the banishment of "fugitive slaves" from his lines. It ought, in justice to the General, and as expressive of the course really pursued toward the blacks during his administration in Missouri, to give his letter to General Asboth, who, it would appear, followed orders even against his own sense of humanity, by delivering up a slave to the agent of his professed master:

"HEADQUARTERS DEPARTMENT OF MISSOURI,  
St. Louis, Dec. 26th, 1861.

"GENERAL ASBOTH, Rolla, Mo.

"General: It would seem from the report of Major Waring to you (referred to these headquarters) that he had, in compliance with your instructions, delivered to Captain Holland a fugitive in his camp, claimed by Captain H. as the property of his father-in-law.

"This is contrary to the intent of General Order No. 3. The object of these orders is to prevent any person in the army from acting in the capacity of negro-catcher or negro-stealer. The relation between the slave and his master is not a matter to be determined by military officers, except in the single case provided by Congress. This matter in all other cases must be decided by the civil authorities. One object in keeping the fugitive slaves out of our camps is to keep clear of all such questions. Masters or pretended masters must establish the rights of property to the negroes as best they may, without our assistance or interference, except where the law authorizes such interference.

"Order No. 3 does not apply to the authorized private servants of officers, nor to negroes employed by proper authority in camps; it applies only to 'fugitive slaves.' The prohibition to admit them within our lines does not prevent the exercise of all proper offices of humanity, in giving them food and clothing outside, where such offices are necessary to prevent suffering.

"Very respectfully, your obedient servant,

"H. W. HALLECK, Major-General."

#### THE "CONVENTION" BY WHICH MISSOURI WAS TRANSFERRED TO THE CONFEDERACY.

We refer on pages 434, — to the transfer by Commissioners of Missouri to the Southern Confederacy. The following is the document of agreement:

"Whereas, it is the common desire of the State of Missouri and the Confederate States of America, that said State should become a member of the confederacy; and whereas, the accomplishment of their purpose is now prevented by an armed invasion of the territory of said State by the United States; and whereas, the interests of both demand that they should make common cause in the war waged by the United States against the liberties of both; now, therefore, for these most desirable objects, the Executive power of the State of Missouri has conferred full powers on Edward Carrington Cabell and Thomas L. Seward, and the President of the Confederate States of America on R. M. T. Hunter, their Secretary of State, who, after having exchanged their said full powers in due and proper form, have agreed to the following articles:

Article 1. The State of Missouri shall be admitted into the Confederacy on an equal footing with the other States composing the same, on the fulfillment of the conditions set forth in the second section of the act of the Congress of the Confederate States, entitled 'An act to aid the State of Missouri in repelling invasion by the United States, and to autho-



alize the admission of said State as a member of the Confederate States of America, and for other purposes,' approved August 20th, 1861.

" Art. 2. Until said State of Missouri shall become a member of said Confederacy, the whole military force, material of war and military operations, offensive and defensive, of said State shall be under the chief control and direction of the President of the Confederate States, upon the same basis, principles and footing as if said State were now and during the interval, a member of said Confederacy, the said force, together with that of the Confederate States, to be employed for their common defense.

" Art. 3. The State of Missouri will, whenever she becomes a member of said Confederacy, turn over to said Confederate States all the public property, naval stores and munitions of war, of which she may then be in possession, acquired from the United States (excepting the public lands) on the same terms and in the same manner as the other States of said Confederacy have done in like cases.

" Art. 4. All expenditures for the prosecution of the existing war incurred by the State of Missouri, from and after the date of the signing of this convention, shall be met and provided for by the Confederate States.

" Art. 5. The alliance hereby made between the said State of Missouri and the Confederate States shall be offensive and defensive, and shall be and remain in force during the continuance of the existing war with the United States, or until superseded by the admission of said State into the Confederacy, and shall take effect from the date thereof, according to the provisions of the third section of the aforesaid act, approved August 20th, 1861.

" In faith whereof, we, the Commissioners of the State of Missouri, and of the Confederate States of America, have signed and sealed these presents.

" Done, in duplicate, at the city of Richmond, on the 31st day of October, in the year of our Lord one thousand eight hundred and sixty-one.

" E. C. CABELL,

" THOS. L. SNEAD,

" R. M. T. HUNTER."

#### PROTEST AGAINST THE DEFENSIVE POLICY.

The Confederate President inaugurated the defensive policy pursued during 1861. To it the opposition was very bitter, but Davis' voice was supreme, and his system prevailed. The Richmond *Examiner* of Dec. 30th, thus gave the summary of the year's doings under that system of warfare. The tone of his article, it will be perceived, is *not quite* so exultant as that of Davis' message of November 18th,

1861, yet, it is nearer the truth than the President's hypocritical statement of "glorious results."

"The policy of monotonous defense which has been perseveringly pursued by the authorities of the Confederacy has been the subject of universal regret among the Southern people, of annoyance to our generals, and of disease and death to our armies. On the side of the enemy, it has more than repaired the damage inflicted upon them in many brilliant battles; and, among foreign nations, it has engendered more distrust of our ability to make good our independence than all other causes combined.

" On the army it has had a deplorable effect; not merely producing that *ennui* which is the fruitful mother of diseases, discontents and demoralization in the camp; but it has substituted for that buoyant confidence and resolution to do, to dare, and to die, which actuated our volunteers, a wide spread feeling of listless hopelessness of results, with an indisposition and partial incapacity to achieve them.

" The enemy have found themselves at perfect leisure, in the very presence of our legions, to devise, mature and make trial of any plan of campaign or assault which they have thought expedient. Nowhere have they been thrown, by any movement of ours, into a moment's alarm for the safety of any army or any district of country in their possession, except on the memorable occasion of their panic for the safety of Washington city, which the same evil genius of defense prevented from being taken by our forces. Their generals and their politicians have been left to entire liberty to plan any schemes of campaign, any assaults, or raids, or incursion into our territory that their genius might suggest, or their rapacity or malignity might devise. They have encountered no opposition at any stage of their preparations for these operations. We have stood still and allowed all their preliminary arrangements to be perfected, attempting to nip no scheme of mischief in the bud, and never thinking for a single moment or in a solitary instance how much more easily mischief may be crushed in its inception than successfully withstood when at the head and in full tide and momentum of execution.

" To all eyes abroad our energies seem to have been palsied by a fatal paralysis. All that might have been achieved by policy and genius has been neglected; and nothing has retrieved our reputation for vigor and capacity but the boldness of our soldiers and the success of our generals in active engagement. The impression made upon the foreign mind is, as if our generals had been all the time manacled by secret instructions from the closet, and our soldiers leashed like hounds, forced to slink and crawl at the heels of the hunter, though it was felt that they were noble bloods needing but the sound



of the bugle to open in full and terrible cry. For a general to put forth exertion, was to render some explanation of conduct necessary; for him to fight battles and win victories, was to encounter indirect censure, to provoke the cold shoulder, and to inaugurate a quarrel with the powers above.

"The effect of this obstinate adherence to the defensive programme has been very deplorable upon the lists of mortality. While we have lost thousands by disease, we have lost only tens by the casualties of the battle field. The whole country is filled with mourning; and the sad lament of mother, father, wife, sister, all, is that their kinsman died the horrid death of the hospital, and not the glorious death of the soldier on the battle field. The noble spirits that, in volunteering for their country's defense, thought to seek glory at the cannon's mouth, have paid the debt of nature upon beds of fever in vast charnel houses of disease, where those who ministered to them knew not their names, and where they were lost to all possibility of discovery from anxiously seeking friends. The policy of defense has cost the lives of the more gallant and brave spirits who chafed under inaction; it has bereft our armies of ten thousand heroes, who, if led against the enemy, would have escaped the dangers of the field after winning victories that would have added lustre to our annals.

"This defensive policy has not only cost us men, but it has cost us territory. Many counties of Eastern Virginia and important regions on the more southern seaboard are now occupied by the enemy, who would never have ventured forth to such distances if they had been menaced nearer home. Nearly all of Western Virginia is in the hands of an enemy who never would have gained a foothold in the interior if the original plan of aggressive attack along the line of the Baltimore and Ohio railway, and from Wytheville toward the mouth of the Kanawha and Sandy, through Eastern Kentucky toward Cincinnati, had been adhered to, instead of concentrating our forces for mere defense on Cheat Mountain and on Sewell. This moment Bowling Green and Columbus could be more effectually relieved and the Southern cause in Kentucky put more speedily on its legs, by menacing Cincinnati with a column of ten thousand men from Western Virginia, than by concentrating a hundred thousand men in the path which the enemy has chosen for his march from Louisville southward. That cannot be good generalship which leaves the enemy at perfect leisure to mature all his preparations for aggression, and then to choose the roads by which he will march and the fields on which he will fight. That cannot be a glorious system of warfare which never ventures an aggressive movement, or even a battle,

and which, though expecting an attack every day, yet decimates its armies by inaction."

GOVERNOR LETCHER'S MESSAGE OF JANUARY 6TH, 1862, IN REMITTING THE GEORGIA RESOLUTIONS TO THE VIRGINIA LEGISLATURE.

EXECUTIVE DEPARTMENT, Jan. 6th, 1862.

GENTLEMEN OF THE SENATE AND HOUSE OF DELEGATES:

I received from his Excellency Joseph E. Brown, Governor of the State of Georgia, a communication enclosing joint resolutions adopted by the Legislature of that State, and approved December 11, 1861. These resolutions relate to matters of the first importance, and they command my cordial approbation. They declare the sentiments of the Southern Confederacy, and will be enthusiastically responded to by the people of all classes.

In communicating these resolutions to the General Assembly I embrace the opportunity to fill up a hiatus in the history of the State growing out of her changed relations. Virginia dissolved her connection with the Government of the United States on the 17th day of April last, having watched closely the political conduct of President Lincoln and his Cabinet from the 4th day of March preceding. A large portion of our people believed, from the revelations of his inaugural message, that he designed to subjugate the South, and much of his policy as developed in the first six weeks of his administration, tended to confirm and strengthen this belief. The appearance of his proclamation, however, calling on Virginia and other States for volunteers, removed all doubts, and made it plain and palpable that subjugation was his object. He had revealed his purpose by the issue of his proclamation, to use Virginians, if possible, in coercing their Southern slaveholding brethren into submission to his will and obedience to his Government and authority. Virginia, seeing that the only hope of preserving her rights and honor as a State and the liberties of her people consisted in dissolving her connection with the Government of the United States and resuming her sovereignty adopted that course, and subsequently determined to unite her destiny with her Southern sisters. She did so; and her Convention, being at the time in session, adopted such ordinances and regulations as were necessary to protect her citizens against the machinations of enemies at home and the encroachments of enemies from abroad.

Events that have transpired since the 17th day of April last have more than confirmed the worst apprehensions of the people of Virginia, and have furnished an ample and complete justification for the



secession of the State. All the wicked results apprehended when she seceded have been fearfully realized, and they now constitute an important chapter in the history of the stirring times in which we live.

Such were the considerations that influenced and determined the action of Virginia.

I now propose to show that while President Lincoln professes to have inaugurated this war for preservation and perpetuation of the Constitution in its spirit and letter, he has violated in the most direct manner many of its most important provisions. I propose, in the next place, to compare his conduct with the conduct of George the Third, and to prove, by reference to the Declaration of Independence, that most of his acts have been identical with those denounced by our forefathers as justifiable grounds for our separation from the mother country.

The war which has been waged against us by President Lincoln is the most unnatural and at the same time, the most disgraceful that has ever occurred. We are struggling for our rights and liberties, for the protection of persons and property, and for the preservation of the honor and institutions of the South. The ruthless assault that has been made upon us and the unjustifiable attempt to submission present a most extraordinary spectacle in the eyes of the civilized world.

When a Secretary of War can quietly seat himself at his desk and coolly, calmly and deliberately commit to paper a recommendation to arm the slaves of the Southern States, place them in the field and incite them to hostility to their masters and the destruction of their families, what extreme may we not reasonably anticipate from an administration that retains such an official in its service? When an administration can go to work to destroy ports in States over which they claim to have jurisdiction, by sinking obstructions in the channels of our rivers and harbors (a policy unheard of among civilized nations), what enormity may we not be prepared to expect?

President Lincoln and his Cabinet have annulled the Constitution, have suspended the writ of habeas corpus, and have declared martial law without constitutional warrant, but in defiance of it. Representative government has ceased to command their respect, and the direct tendency now in what remains of the late United States Government is inevitably towards consolidation and despotism. Passions and prejudice, avarice and selfishness, malignity and meanness have controlled their action and directed their efforts against us.

Having presented these general views, I now present specifications showing in what particulars the Constitution has been violated. Some of these

specifications show violations anterior to the secession of Virginia, others show violations equally palpable subsequent to her secession.

In the preamble to the Constitution of the United States our forefathers declared the purposes and objects they had in view in the formation of the Government, and those purposes and objects were "to establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty" to themselves and their posterity. The Government has been so administered and directed as to defeat all these purposes and objects. Justice has not been established, nor is it respected by President Lincoln and his Cabinet. Domestic tranquillity has not been insured, but domestic disturbance has been inaugurated and encouraged. The common defense has not been provided for, but Northern arms have been levelled at Southern breasts, and the welfare of our people has been disregarded. The blessings of liberty have not been secured to us, but we have found the Federal authorities exerting all their power and using all the means at their command to reduce the Southern people to abject submission to Northern numbers.

President Lincoln and his Cabinet have wilfully and deliberately proposed to violate every provision of the third section of the fourth article of the Constitution, which each one of them solemnly swore or affirmed, in the presence of Almighty God, to "preserve, protect and defend." That section is in these words:

"New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State formed by the junction of two or more States or parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress."

They have deliberately proposed to annex certain counties in Maryland to Virginia, and thus form the new State of Kanawha, within the jurisdiction of Virginia, without the consent of the Legislatures of those States and of Congress. They have proposed to take the four counties lying in the Pan Handle, from Virginia and attach them to Pennsylvania, without the consent of the Legislature of the States interested and of Congress. They have proposed to join the eastern counties of Virginia to Maryland, and thus make a new State by the junction of parts of two States, without the consent of the Legislatures of these States and of Congress. These propositions present a most plain and glaring violation of the Constitution, and evidence an intensity of malignity towards Virginia and Virginians without a parallel in the history of the United States.

The first amendment to the Constitution declares "that Congress shall make no law abridging the



freedom of speech or of the press." President Lincoln and his Cabinet have wilfully disregarded the spirit of this article. Numerous instances could be cited to prove that the solemnities of an oath have not restrained them in their efforts to abridge "the freedom of speech" and to muzzle "the press." The numberless arrests made by them in Western and Eastern Virginia, in Kentucky, in Missouri, in Maryland, in Washington City, and also in the free States, when nothing more was charged against the parties arrested than the declaration of their opinion in condemnation of the policy of President Lincoln and his Cabinet, show that freedom of speech is not tolerated by them. The notorious fact that papers have been suppressed in New York, Philadelphia and elsewhere by the exercise of Executive power, fully attests a scandalous usurpation for the destruction of the independence of the press.

The President and his Cabinet and the military officers under their direction and control, have violated the fourth article of the amendment to the Constitution which guarantees "the rights of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures," and declares that it "shall not be violated." This article has been habitually disregarded, and every observant man will call to mind numerous instances of the violation—the result of suspicion, merely.

He and his Cabinet have violated, as deliberately and wilfully, the fifth article of the amendments to the Constitution, which is in these words:

"No person shall be held to answer for a capital or other worse offence unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces or in the militia, when in actual service or time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall he compelled in any criminal case to be a witness against himself; nor to be deprived of life, liberty or property without due process of law; nor shall private property be taken for public use without just compensation."

Without a presentment or indictment of a grand jury, they have, on mere suspicion of crime, caused men and women to be arrested and confined under strong guards, and have detained them for weeks and months. They have prostituted the telegraph to their uses, for the purpose of communicating orders for the arrest of suspected persons, repudiating all those safeguards which the law has wisely thrown around the citizen for his protection. Desolation has followed in the footsteps of the Federal army. Neither life, liberty nor property has been respected by them. They have murdered many of the best citizens of the country, they have incarcerated others in jails and forts, and they have seized and appropriated private property to public use without just compensation to the owner.

He and his Cabinet have disregarded the injunctions of the sixth article of the amendments to the Constitution, not less flagrantly than those to which I have referred. That article declares:

"In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense."

He and his Cabinet have seized large numbers of our citizens; withdrawn them from their homes, their families and their business; cast them into loathsome prisons; refused to inform them of the cause and nature of the accusation against them; denied to them the right and opportunity of consultation with friends or counsel, and have withheld from them a speedy and public trial by an impartial jury. They would neither confront them with the witnesses against them, nor would they allow them to have compulsory process for obtaining witnesses in their favor.

The conduct of President Lincoln has been as oppressive and tyrannical toward the Confederate States as the acts of the King of Great Britain, which caused our first Revolution, were toward the colonies. The comparison cannot fail to make its impression upon the mind even of the most casual observer.

President Lincoln has plundered the public treasury, and has delivered at least forty thousand dollars to Pierpoint to enable him and his traitorous associates in the Commonwealth of Virginia to overthrow the State Government, and to organize within the limits of this State a new Government. He has thus been guilty of the unprincipled conduct of using the people's money to lavish upon traitors and encourage them to perseverance in their work of treason.

"The history" of Abraham Lincoln "is a history of repeated injuries and usurpations, all having for their object the establishment of an absolute tyranny over these" Confederate States.

To this end "he has affected to render the military independent of and superior to the civil power."

He has combined with Pierpoint and other traitors in Virginia "to subject us to a jurisdiction foreign to our Constitution and unacknowledged by our laws, giving his assent to their acts of pretended legislation."

He is endeavoring to quarter "large bodies of armed troops amongst us."

"He has plundered our seas, ravaged our coasts, burned our towns and destroyed the lives of our people."



He is endeavoring to cut off "our trade with all parts of the world."

He is endeavoring to impose "taxes upon us without our consent."

He is endeavoring to deprive us, "in many cases, of the benefits of trial by jury."

"He has abdicated government here by declaring us out of his protection and waging war against us."

"He is at this time transporting large bodies of mercenaries to complete the works of death, desolation and tyranny already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation."

He has endeavored to excite domestic insurrections amongst us by proposing to put arms in the hands of our slaves, and thereby encouraging them to "an undistinguished destruction of all ages, sexes and condition."

He has violated laws human and divine to gratify his passions, glut his prejudices and to wreak his vengeance upon a people who ask only their rights, and who are struggling to preserve their liberties. Can a Government conducted on such principles endure?

In every stage of these oppressions, attempted or consummated, prior to the secession of the State, we warned President Lincoln and the Northern people of the inevitable consequences of their course, and admonished them that if justice was not accorded to us the Union must be dissolved. In every stage of these oppressions since the secession of the State we have resisted them as became a free people asserting independence. Our admonitions and resistance have been answered by repeated injury and oppression, aggravated by war and bloodshed and by the assumption and exercise of power which even an autocrat would hesitate to assume and exercise. A President "whose character is thus marked by every act which may define a tyrant is unfit to be a ruler of a free people."

I have thus presented:

1. The considerations that influenced and controlled the action of Virginia in separating herself from the Government of the United States and resuming her sovereignty.

2. The results which President Lincoln's policy gave us fearful reason to apprehend, and which are now matters of history stamped indelibly upon its pages. In these I enumerate its repeated violations of a Constitution which he had solemnly sworn to support.

3. I have run a parallel between the conduct of President Lincoln and George the Third, and have

demonstrated that the former has shown himself not less a tyrant and usurper than the latter.

The Constitution of the United States has had no binding efficacy upon us since the 17th day of April last. On that day we repudiated it, and declared to the world that we would not be longer bound by its provisions. From that day Virginia dates a new era. Her own Constitution, her laws and her ordinances constituted the rule of her guidance from that day forward until her union with the Confederate States was consummated. While she occupied a position as an independent State she deported herself with the grace and dignity that became "the mother of States;" after her Union with the Confederate Government she fulfilled her obligations faithfully in her new relation.

The occurrences of the past nine months have demonstrated conclusively that we cannot live together as equals under the Government of the United States; and the habitual violation of the provisions of the Constitution, and the open disregard of the laws by President Lincoln and his officials, render governmental association between us impossible. Mutual respect between the citizens of the Southern Confederacy and those of the North has ceased to exist. Mutual confidence has been succeeded by mutual distrust; and mutual good will by mutual aversion. No government can be enduring which does not possess the affection and respect of the governed. It cannot be that the people of the Confederate States can again entertain a feeling of affection and respect for the Government of the United States. We have, therefore, separated from them, and now let it be understood, that the separation "is and ought to be final and irrevocable"—that Virginia will, under no circumstances, entertain any proposition from any quarter which may have for its object a restoration or reconstruction of the late Union on any terms and conditions whatever.

We must be content with nothing less than the unqualified recognition of the independence of the Southern Confederacy and its nationality by the Government of the United States; and to this end we must meet the issue they have tendered to us with spirit, energy and determination, and with a firm resolve on the part of each of the Confederate States that everything shall be done that may be necessary to insure the triumph of our arms and thus secure our liberty and independence for the South.

In conclusion, I recommend that before your adjournment this day you reaffirm, by solemn vote in each house, the resolutions adopted by the General Assembly of Georgia. The Empire State of the South has spoken; let not "the Mother of States" remain silent on a subject of so much significance



and importance to the Southern Confederacy. Respectfully,  
JOHN LETCHER.

EXECUTIVE DEPARTMENT, }  
MILLEDGEVILLE, Ga., Dec. 19, 1861. }

His Excellency JOHN LETCHER :

Sir : I have the honor to transmit herewith a copy of joint resolutions adopted by the General Assembly of Georgia. The Legislature has not directed me to forward them, but I do so under the conviction that you will be pleased to learn the action of Georgia on the important subject to which they relate.

Very respectfully,

JOSEPH E. BROWN.

JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY OF  
THE STATE OF GEORGIA, PASSED AT ITS LATE SESSION.

*Resolved, by the Senate and House of Representatives of Georgia, in General Assembly met, That it is the sense of this General Assembly that the separation of those States now forming the Confederate States of America from the United*

States is, and ought to be, final and irrevocable ; and that Georgia will, under no circumstances, entertain any proposition from any quarter, which may have for its object a restoration or reconstruction of the late Union, on any terms or conditions whatever.

*Resolved, That the war which the United States are waging upon the Confederate States should be met on our part with the utmost vigor and energy, until our independence and nationality are unconditionally acknowledged by the United States.*

*Resolved, That Georgia pledges herself to her sister States of the Confederacy that she will stand by them throughout the struggle—she will contribute all the means which her resources will supply, so far as the same may be necessary to the support of the common cause, and will not consent to lay down arms until peace is established on the basis of the foregoing resolutions.*

WARREN AIKEN,

Speaker of the House of Representatives

I CARRINGTON, Clerk of the House of Representatives.

JOHN BELLUPS,

President of the Senate.

JAMES M. MORLEY, Secretary of the Senate.

Approved December 11, 1861.

JOSEPH E. BROWN, Governor.



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